

January 7, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, January 7, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Kathy Watts, Leavern Guy, Sr. and Jerry Bounds, City Clerk Nicole Dagnall, Deputy City Clerk Brenda Ford, City Attorney Nathan Farmer and Police Chief Jim Luke.

It Being Determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Council Member Parker, followed by the Pledge of Allegiance led by Council Member Guy.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Guy, seconded by Council Member Bounds, to approve the minutes of the Mayor and City Council dated December 17, 2002. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Bounds, to approve the issuance of the following manual checks:

City of Picayune, General Fund	Utility	\$ 49,721.41
Ms. State Tax Commission	Utility	\$ 4,422.00
Ms. Municipal Workers' Comp	General, Airport, Utility, Cemetery	\$ 41,902.50
City of Picayune, General Fund	Cemetery	\$ 2,000.00
City of Picayune, General Fund	Airport	\$ 20,000.00
T & R Services	Airport	\$ 200.00

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

REGULAR MEETING DATED JANUARY 7, 2003CONSIDER REQUEST TO ACKNOWLEDGE RECEIPT OF PRIVILEGE LICENSE REPORT

Motion was made by Council Member Guy, seconded by Council Member Bounds, to acknowledge receipt of the monthly Privilege License Report for the month of December 2002. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER APPROVAL OF DOCKET

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve the docket for the month of December 2002 in the amount of \$423,748.02. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE TRAVEL

Motion was made by Council Member Guy, seconded by Council Member Bounds, to authorize the Mayor, Council and City Manager to travel to Jackson, MS to attend the Mississippi Municipal League Mid-Winter Conference on January 21, 2003 through January 23, 2003 and to travel to Washington, D.C. on February 5, 2003 through February 8, 2003 to meet with Congressional Delegation. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO POSTPONE PUBLIC HEARING FOR PROPERTY CLEANUP AT 606 CHARLOTTE DRIVE

Motion was made by Council Member Watts, seconded by Council Member Guy, to postpone the public hearing for property cleanup located at 606 Charlotte Drive until February 4, 2003 at 6:00 p.m. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

REGULAR MEETING DATED JANUARY 7, 2003CONSIDER REQUEST TO POSTPONE PUBLIC HEARING FOR PROPERTY CLEANUP AT 121 WEST SYCAMORE ROAD

Motion was made by Council Member Watts, seconded by Council Member Guy, to postpone the public hearing for property cleanup located at 121 West Sycamore Road until February 4, 2003 at 6:00 p.m. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO POSTPONE PUBLIC HEARING FOR PROPERTY CLEANUP AT 301 DOZIER STREET

Motion was made by Council Member Watts, seconded by Council Member Guy, to postpone public hearing for property cleanup located at 301 Dozier Street until February 4, 2003 at 6:00 p.m. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO POSTPONE PUBLIC HEARING FOR PROPERTY CLEANUP AT 116 MOODY STREET

Motion was made by Council Member Watts, seconded by Council Member Guy, to postpone public hearing for property cleanup located at 116 Moody Street until February 4, 2003 at 6:00 p.m. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

STATUS OF OWNERSHIP OF LAND ON EAST CANAL FOR PARK

City Attorney Nathan Farmer stated that he was proceeding with the research for the ownership of land on East Canal that the city wants to purchase for park. No action was taken.

CONSIDER REQUEST TO ADOPT BUDGET AMENDMENT #2 FOR YEAR ENDING SEPTEMBER 30, 2003

Motion was made by Council Member Guy, seconded by Council Member Bounds, to adopt amendment #2 for year ending September 30, 2003 as follows:

REGULAR MEETING DATED JANUARY 7, 2003

CITY OF PICAYUNE - GENERAL FUND
BUDGET AMENDMENT #2
FOR THE YEAR ENDING 9/30/03

	<u>2002-2003</u>		
	<u>Budget</u>	<u>Amend #1</u>	<u>Amend #2</u>
REVENUES:			
License & Permits	375,000	375,000	375,000
Intergovernmental Revenues	3,112,000	3,252,651	4,156,151
Charges for Services	606,000	606,000	606,000
Fines & Forfeits	340,000	340,000	340,000
Miscellaneous	12,000	12,000	12,000
Transfer In	1,840,000	350,000	350,000
Interest Income	41,000	41,000	41,000
Non-Revenue Receipts	-0-	100	200
	<hr/>		
Total from All Sources, other than Taxes	6,326,000	4,976,751	5,880,351
Beginning Cash	2,052,409	3,599,499	3,599,499
	<hr/>		
Total Receipts other than Ad Valorem Tax	8,378,409	8,576,250	9,479,850
Amount to be Raised by Ad Valorem Tax	1,489,000	1,489,000	1,489,000
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Total from All Sources	9,867,409	10,065,250	10,968,850
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EXPENSES:			
<u>GENERAL GOVERNMENT</u>			
Personnel	903,642	903,642	903,642
Supplies	35,850	35,850	35,850
Other Services & Charges	471,300	481,300	481,300
Capital Outlays	73,000	73,000	73,000
TOTAL	1,483,792	1,493,792	1,493,792
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<u>PUBLIC SAFETY - POLICE</u>			
Personnel	1,664,697	1,664,697	1,664,697
Supplies	143,525	143,525	143,625
Other Services & Charges	178,150	178,150	178,150
Capital Outlays	136,800	136,800	141,800
TOTAL	2,123,172	2,123,172	2,128,272
	<hr/>		
<u>PUBLIC SAFETY - FIRE</u>			
Personnel	1,272,858	1,272,858	1,272,858
Supplies	56,750	56,850	56,850
Other Services & Charges	62,900	67,850	67,850
Capital Outlays	597,500	597,500	597,500
TOTAL	1,990,008	1,995,058	1,995,058
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<u>PUBLIC WORKS</u>			
Personnel	851,354	851,354	851,354
Supplies	261,100	261,100	261,100
Other Services & Charges	855,250	855,250	855,250
Capital Outlays	742,075	882,726	1,779,726
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REGULAR MEETING DATED JANUARY 7, 2003

TOTAL	2,709,779	2,850,430	3,747,430
<u>CULTURE & RECREATION</u>			
Personnel	-0-	-0-	-0-
Supplies	2,300	2,300	2,300
Other Services & Charges	10,000	10,000	10,000
Capital Outlays	12,000	12,000	16,000
TOTAL	24,300	24,300	28,300
Cost of Living Raises	234,000	234,000	234,000
Aid to Other Governments	45,425	45,425	45,425
Transfer Out	372,800	373,599	373,599
Ending Cash Balance	884,133	925,474	922,974
TOTAL EXPENDITURES & ENDING CASH BALANCE	9,867,409	10,065,250	10,968,850

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ADOPT ORDINANCE ENACTING NEW CODE FOR THE CITY OF PICAYUNE

Motion was made by Council Member Guy, seconded by Council Member Bounds, to adopt the following ordinance enacting a new code for the City of Picayune:

ORDINANCE NO. _____

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF PICAYUNE, MISSISSIPPI; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE

Be It Ordained by the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, In Meeting Duly Assembled:

SECTION 1. The Code entitled "Code of Ordinances, Picayune, Mississippi," published by Municipal Code Corporation, consisting of chapters 1 through 102, each inclusive, is adopted.

SECTION 2. All ordinances of a general and permanent nature enacted on or before February 2, 1999, and not included in the Code or recognized and continued in force by reference therein, are repealed.

SECTION 3. The repeal provided for in Section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

SECTION 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine not exceeding \$1,000.00 or by imprisonment not

REGULAR MEETING DATED JANUARY 7, 2003

exceeding 90 days or by both such fine and imprisonment. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the City may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

SECTION 5. Additions or amendments to the Code when passed in such form as to indicate the intention of the Mayor and City Council to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

SECTION 6. Ordinances adopted after February 2, 1999, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

SECTION 7. Severability, Conflict and Effective Date.

Should any section, clause, paragraph, provision, or part of this ordinance for any reason be held invalid or unconstitutional by any Court of competent jurisdiction, this act shall not affect the validity of any other section, clause, paragraph, provision or part of this ordinance. All provisions of this ordinance shall be considered separate provisions and completely severable from all other portions.

Conflict in any case where a provision of this ordinance is found to be in conflict with the provisions of any other ordinance or code of the City of Picayune, Mississippi, existing on the effective date of this ordinance, the provisions of this ordinance shall take precedence.

This ordinance shall become effective thirty (30) days after its adoption and publication by the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi.

The motion having received the affirmative vote of the majority of the members present, the Mayor declared the motion carried and the ordinance passed, approved, and adopted on this the 7th day of January 2003.

Greg Mitchell, Mayor

ATTEST:

Nicole Dagnall, City Clerk

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO AMEND THE CITY OF PICAYUNE POLICIES AND PROCEDURES MANUAL

Motion was made by Council Member Guy, seconded by Council Member Watts, to amend the City of Picayune Policies and Procedures Manual to reflect the following changes to the holiday policies retroactive to December 13, 2002:

HOLIDAY PAY**Policy 6.190(a)****OLD POLICY**

The following holidays are recognized by the City:

- New Years Day
- Martin Luther King's Birthday
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Holiday (2)
- Christmas Holiday (2)

NEW POLICY

The following holidays are recognized by the City:

- New Years Day
- Martin Luther King's Birthday
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Holiday (2)
- Christmas Holiday (2)

Holidays are recognized by the City beginning at 12:01 a.m. and ending on 12:00 p.m.

Policy 6.190(c)**OLD POLICY**

For non-emergency personnel, non-exempt regular full-time or part-time employees will be paid the holiday plus one and one-half times their regular rate of pay for any time worked on the holiday. Such time must be pre-authorized by the supervisor.

NEW POLICY

For non-emergency personnel, non-exempt regular full-time or part-time employees will be paid the holiday plus one times their regular rate of pay for any time worked on the holiday. Such time must be pre-authorized by the supervisor.

Policy 6.190 (e)**OLD POLICY**

For non-exempt emergency personnel, holiday pay is as follows:

Police -	Officers not working the holiday, 8 hours of holiday pay
	Officers working the holiday, 12 hours of holiday pay
Fire	Fighters not working the holiday, 12 hours of holiday pay
	Fighters working the holiday, 24 hours of holiday pay

NEW POLICY

For non exempt emergency personnel, holiday pay is as follows:

Police & Fire - Officers and fighters working the holiday will be paid their regular rate of pay plus one times their regular rate of pay for any time worked on the holiday

For non-exempt emergency personnel, holiday leave is as follows:

Police & Fire - Officers and fighters not working the holiday will receive 8 hours of holiday leave

REGULAR MEETING DATED JANUARY 7, 2003

Policy 2.035 (a)

OLD POLICY

None

NEW POLICY

Non-exempt emergency personnel not working a holiday will receive holiday leave instead of cash payment for the holiday. This holiday leave policy ensures that employees enjoy the same holiday benefits other city employees have which they may otherwise lose on account of the work schedules that are unique to emergency personnel.

Policy 2.035 (b)

OLD POLICY

None

NEW POLICY

The employee may use the holiday leave within a reasonable time period after making a request to their Department Head, unless doing so would unduly disrupt City operations. Holiday leave should be used for short-term absences from work during times mutually agreed to by the employee and the Department head. Accumulation of holiday leave to be used as a substitute for extended vacation time off is not normally permitted.

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

IN THE MATTER OF PRESENTATION OF PROPOSED BUILDING PLANS FOR INCREASING THE SIZE OF CRIMINAL JUSTICE CENTER

Chief Luke and Captain Ervin presented and explained to the council the proposed building plans for increasing the size of the Criminal Justice Center. Council agreed on the need of the extra area. No action was taken.

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Roberson, seconded by Council Member Watts, to close the meeting to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss a two (2) matters of litigation regarding Majestic Inn and Phillip Stockstill and a contractual matter regarding closing of Norfolk Southern Railroad Crossings.

REGULAR MEETING DATED JANUARY 7, 2003ORDER TO AUTHORIZE MAJESTIC INN TO PAY INTEREST

Motion was made by Council Member Guy, seconded by Council Member Parker, to authorize Majestic Inn to pay interest only for December 2002 and January 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO APPOINT ATTORNEY

Motion was made by Council Member Bounds, seconded by Council Member Watts, to appoint Kevin Roberts to represent the city in the matter involving Phillip Stockstill on damage to red light at Palestine Road and Beech Street. City Attorney Nathan Farmer can not represent the city because of a conflict of interest. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO CLOSE NORFOLK SOUTHERN RAILROAD CROSSING

Upon recommendation of the City Engineer, motion was made by Council Member Guy, seconded by Council Member Bounds to close railroad crossings at Poplar Street and West Sycamore Road. As a result of this decision, MDOT and Norfolk Southern will provide and assist with the following:

- a. waive the liability fees for gas pipe installations.
two (2) locations at a cost of \$3,300 (price is subject to change) and a third location may be requested
- b. install two (2) concrete crossovers in the downtown area.
- c. allow parking slots to be built between 5th Avenue and Canal Street along North Main
- d. pay for the relocation of the existing building located on the corner of Goodyear Boulevard and Oak Street to their property south of the Police Department (\$5,000 from Norfolk So.)
- e. allow a road to be built along the western right-of-way to connect West Sycamore to Poplar forty (40) foot right-of-way
- f. allow two (2) turnarounds within their right-of-way on the east side of tracks for bus use

New road distance is approximately 1150 feet.

Funding: 1)	Norfolk Southern	\$40,000
2)	Miss. DOT	<u>\$50,000</u>
	TOTAL	\$90,000

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Guy and Bounds

VOTING NAY: Council Member Roberson

The motion was declared carried.

REGULAR MEETING DATED JANUARY 7, 2003ORDER TO RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Bounds, seconded by Council Member Watts, and unanimously carried, the Mayor reopened the meeting. The Mayor stated that while in executive session the Council voted as above to accept payments for interest only from Majestic Inn for the months of December 2002 and January 2003, appointed Kevin Roberts to represent the city in suit against Phillip Stockstill and authorized the closure of Norfolk Southern Railroad Crossings.

At this time Mayor Mitchell stepped out of meeting.

CONSIDER REQUEST TO SUBMIT A PRE-APPLICATION WITH RURAL AND ECONOMIC DEVELOPMENT

Motion was made by Council Member Watts, seconded by Council Member Roberson, to authorize the Community Development Director to submit a pre-application with Rural and Economic Development for the acquisition of fire department equipment. The following roll call vote was taken:

VOTING YEA: Mayor Pro tempore Guy, Council Members Roberson, Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell

The motion was declared carried.

At this time Mayor Mitchell returned to the meeting.

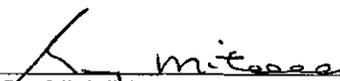
ORDER TO ADJOURN

Motion was made by Council Member Roberson, seconded by Council Member Watts, to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

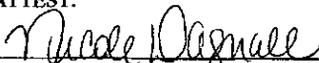
VOTING NAY: None

The motion was declared carried.



Greg Mitchell, Mayor

ATTEST:



Nicole Dagnall, City Clerk

February 4, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, February 4, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Kathy Watts, Leavern Guy, Sr., and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Nicole Dagnall, Deputy City Clerk Brenda Ford, City Attorney Nathan Farmer and Police Chief Jim Luke.

It Being Determined was quorum was present, the following proceedings were held.

Opening Prayer was given by Rev. David Simmons of Rose of Sharon Church, followed by the Pledge of Allegiance led by City Manager J.P. Burns, Jr.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Guy, to approve the minutes of the Mayor and Council dated January 7, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Guy, to approve the issuance of the following manual checks:

City of Picayune	Utility	NTE \$ 52,000
MS State Tax Commission	Utility	NTE \$ 6,000
USM Continuing Education	General	\$ 50

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR STREET CLOSURE

Upon request of the Picayune Downtowners Association, motion was made by Council Member Bounds, seconded by Council Member Guy, to approve the request for street closures for the Fourteenth Street Fair on April 5 & 6, 2003. The following streets will be closed: West

REGULAR MEETING DATED FEBRUARY 4, 2003

Canal from Main Street to Herman Street, Rester Street from the alley to West Canal Street, Ruby Street from Elizabeth to West Canal, Quince Street from Alley to West Canal Street, Church Street from Alley to West Canal Street, East Canal Street from Main Street to Steele Street, South Haugh Avenue from Tate Street to East Canal Street, South Curran from Tate Street to East Canal Street, a portion North Curran to East Canal Street. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR STREET CLOSURE FOR THE "WALK FOR LIFE"

Motion was made by Council Member Bounds, seconded by Council Member Guy, to grant the request for the use and closure of Goodyear Boulevard Walking track on May 10, 2003 from 7:00 a.m. to 12:00 p.m. and request assistance with getting Pine and Quince Streets blocked for thru traffic at the intersection with Goodyear Boulevard and the use of Jack Read Park. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

ACKNOWLEDGEMENT RECEIPT OF RETIREMENT DEVELOPMENT MONTHLY ACTIVITIES REPORT

Motion was made by Council Member Bounds, seconded by Council Member Guy, to acknowledge receipt of the Retirement Development Monthly Activities Report for the month of December 2002. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

ACKNOWLEDGE RECEIPT OF MONTHLY BUDGET REPORTS

Motion was made by Council Member Bounds, seconded by Council Member Guy, to acknowledge receipt of the Monthly Budget Report for the month of December 2002. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

REGULAR MEETING DATED FEBRUARY 4, 2003CONSIDER REQUEST TO BUY BACK CEMETERY PLOTS

Motion was made by Council Member Bounds, seconded by Council Member Guy, to authorize the repurchase of 2 cemetery plots described as Lots 29, Plots 3 & 4, Block P, New Palestine Cemetery and issue a manual check for \$120.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO SET DATE FOR PROPERTY CLEANUP PUBLIC HEARING ON 921 6TH AVENUE

Motion was made by Council Member Bounds, seconded by Council Member Guy, to set the date and time of March 4, 2003, at 6:00 p.m. for property cleanup public hearing for 921 6th Avenue. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO SET DATE FOR PROPERTY CLEANUP PUBLIC HEARING ON 816 5TH STREET

Motion was made by Council Member Bounds, seconded by Council Member Guy, to set the date and time of March 4, 2003, at 6:00 p.m. for property cleanup public hearing for 816 6th Avenue. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO SET DATE FOR PROPERTY CLEANUP PUBLIC HEARING ON 31.3 ACRES ON PALESTINE ROAD

Motion was made by Council Member Bounds, seconded by Council Member Guy, to set the date and time of March 4, 2003, at 6:00 p.m. for property cleanup public hearing for 31.3 acres on Palestine Road. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

REGULAR MEETING DATED FEBRUARY 4, 2003ORDER TO SET DATE FOR PROPERTY CLEANUP PUBLIC HEARING ON 704 8TH STREET

Motion was made by Council Member Bounds, seconded by Council Member Guy, to set the date and time of March 4, 2003, at 6:00 p.m. for property cleanup public hearing for 704 8th Street. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO SET DATE FOR PROPERTY CLEANUP PUBLIC HEARING ON LOT NEXT DOOR TO 329 SHERD STREET

Motion was made by Council Member Bounds, seconded by Council Member Guy, to set the date and time of March 4, 2003, at 6:00 p.m. for property cleanup public hearing for lot next door to 329 Sherd Street. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ADVERTISE FOR SEMI-ANNUAL BIDS

Motion was made by Council Member Bounds, seconded by Council Member Guy, to authorize the Purchasing Agent to advertise for semi-annual bids for the period of April 1, 2003 through September 30, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER APPROVAL OF DOCKET

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve the docket for the month of January 2003 in the amount of \$ 587,445.43. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE THE MAYOR TO SIGN SIXTEENTH SECTION RECREATIONAL LEASE CONTRACT

Motion was made by Council Member Guy, seconded by Council Member Parker, to authorize the Mayor to sign the following Sixteenth Section Recreational Lease Contract:

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER

LMS#290

SIXTEENTH SECTION
RECREATIONAL LEASE CONTRACT

THIS AGREEMENT, made and entered into on the _____ day of _____, 2003, by and between the Board of Trustees of Picayune City School District, whose address is 706 Goodyear Boulevard, Picayune, Mississippi, 39466, (601) 798-3230 (herein called Lessor), and the City of Picayune, whose address is 203 Goodyear Boulevard, Picayune, Mississippi 39466, Phone (601) 798-9770, (herein called Lessee)

WITNESSETH

This agreement is made for Recreational purposes only providing The City of Picayune exclusive rights to operate and maintain what is known as Snyder Park on the lands described herein located in the City of Picayune, title to which is vested in the State of Mississippi in Trust for Picayune City School District.

That for the terms and in consideration of the fair market annual ground rentals hereinafter set forth, and the covenants, conditions, and obligations hereinafter set forth, the Lessor does hereby lease, let and rent unto Lessee the following Recreational Land, under the jurisdiction of the Board of Trustees of Picayune City School District, as described to-wit:

Section 16, Township 6 South, Range 17 West

Commence at the intersection of the South right-of-way of Palestine Road and the West right-of-way of Beech Street; thence run due South along the West right-of-way of Beech Street a distance of 400.00 feet more or less to the Point of Beginning. From the Point of Beginning thence continue due South along Beech Street a distance of 1180.00 feet more or less; thence run West 680.00 feet more or less to the Pearl River Valley Railroad; thence run in a Northeasterly direction along said railroad a distance of 980.00 feet more or less; thence run East a distance of 337.00 feet more or less; thence run North 100.00 feet more or less; thence run North 17 degrees East a distance of 150.00 feet more or less to the Point of Beginning. The property described above is known as Snyder Park and contains approximately 15.50 acres more or less.

1. **TERM.** This lease shall be for Twenty (20) years, beginning on the _____ day of _____, 2003, and unless sooner terminated as hereinafter provided, shall expire on the _____ day of _____ 20____, at which time the Lessee shall have an option to renew this lease for a term not to exceed Twenty (20) years, and upon said renewal the parties shall execute a new lease setting out the additional lease period and satisfying the provisions of all applicable statutes setting forth the procedure and requirements for the execution of a lease for Sixteenth Section lands classified for Recreational use. Lessee shall have at that time a prior right, exclusive of all other persons, to re-lease at an annual fair market ground rental based upon the appraised fair market value of the land excluding buildings and improvements as set out in item no. 3 hereinbelow.

2. **ANNUAL RENT.** Lessee covenants and agrees to pay as annual ground rental to Lessor at the office of the Superintendent of Education, Picayune, Mississippi, the sum of Five Thousand Four Hundred Twenty Five and No/100 (\$5,425.00) dollars per annum, in advance, on or before the anniversary of this lease each year, subject to any rent adjustment clause as herein included.

3. **RENT ADJUSTMENT.** At the 10th anniversary date of the commencement of this lease agreement, Lessor shall have a reappraisal of the subject property, at its expense, and a redetermination of a reasonable annual rental. The Lessor shall notify Lessee of the reappraisal

REGULAR MEETING DATED FEBRUARY 4, 2003

in writing a minimum of Ninety (90) days prior to said anniversary dates. The reappraisal shall establish the fair market value of the property. Buildings and other improvements upon the property and not owned by Lessor shall be excluded from the reappraisal evaluation. The amount of the annual rent so determined, as of the 10th anniversary date shall be paid annually for the balance of the lease term.

4. TAXES AND SPECIAL ASSESSMENTS. Lessee covenants and agrees to pay, as and when due, any and all general taxes, ad valorem taxes and special assessments, if ever any there be, applicable to or against the above described property and improvements thereon, and Lessee's interest therein.

5. ASSIGNMENT OR SUBLEASE. Lessee may freely assign this lease in its entirety only with written approval of Lessor, but the Lessee shall not be relieved of any obligations accruing subsequent to the assignment, until such time as the Board of Trustees of Picayune City School District approves said assignment. In the event of an assignment sublease, or other transfer of possession, Lessee shall, within Thirty (30) days after the transfer, give notice in writing and provide a true copy of the instrument evidencing such transfer to the Board of Trustees of Picayune City School District. If these requirements are not timely met, Lessor, upon discovery of the assignment, may declare a forfeiture of this lease and any assignments or transfers. Nothing herein shall prohibit the Lessee from subleasing space within the subject premises without approval from the Board of Trustees of Picayune City School District, provided that all of Lessee's obligations herein remain in full force and effect subsequent to said sublease, and further provided that all notice requirements herein shall remain in force. Permission by Lessor to assign or to sublease this lease in whole or in part shall not be arbitrarily withheld, and action by the Lessor upon Lessee's request to assign or sublease this lease shall be made no later than Forty Five (45) days after the Lessor's next regularly scheduled meeting upon which the Lessee has provided the Lessor Fifteen (15) days written notice of Lessee's request for said permission.

6. DEFAULT. Any one of the following events shall constitute grounds for immediate default of this lease:

- (a) Failure to pay rent within Thirty (30) days after the due date thereof.
- (b) Failure to pay taxes or special assessments imposed upon the leasehold estate, which failure results in a sale of the leasehold estate by any taxing authority.
- (c) Any full or partial assignment or sublease without approval of Lessor
- (d) In the event of default in the payment of rent or breach of any of the terms of this lease, and if the same is turned over to any attorney for collection or other action, Lessee agrees to pay all costs of such collection or other action, including a reasonable attorney's fee.

In the event of Lessee's breach of any covenant or obligation contained in this lease, Lessee shall be entitled to notice in writing of the breach and shall have Sixty (60) days from the date of the notice to cure or correct such breach. Upon the failure of the Lessee to correct or cure such breach, Lessor shall have the option to declare this lease in immediate default. Lessor's failure to assert any grounds for default shall not be deemed a waiver of the right to do so at any time.

7. REMEDIES. In the event of Lessee's breach of any obligation herein expressed and such default is not corrected within the time allowed, if any, then Lessor, having declared this lease in default, shall have the following rights and may exercise any one or more of the following remedies in addition to such other rights, remedies and liens as may be allowed at law or in equity:

- (a) Lessor may declare this lease terminated any may then enter upon and take possession of the premises. Lessor shall not be obligated to relet the premises, but any amount received pursuant to any subsequent lease shall be the exclusive property of Lessor.
- (b) Lessor may declare all rent for the remaining term of this lease to be immediately due and payable (at the amount of rent in effect when default occurs), and Lessee shall be liable therefor with interest until paid at the highest rate allowed by law. Upon failure to pay the same promptly, Lessor may declare this lease terminated

REGULAR MEETING DATED FEBRUARY 4, 2003

and may collect the accelerated amount of rentals due without credit to Lessee for any sums received on reletting.

- (c) Lessor may permit this lease to remain in force and may collect rents in intervals or as the same accrue.
- (d) Lessor may require specific performance of Lessee's obligations with respect to condition of the premises or may hold Lessee liable for the cost of performing such obligations.

8. **WASTE.** The Lessee shall be responsible for any damage that may be caused to Lessor's property by the activities of the Lessee or his Sublessees under this lease, and shall exercise due diligence in the protection of all improvements, timber and other property of Lessor, which may be located on the leased premises against fire or damage from any and all other causes. Lessee shall exercise due diligence to protect the land from undue waste or other damages.

9. **INDEMNIFICATION.** Lessee agrees to save harmless, protect and indemnify Lessor from and against any and all loss, damages, claims, suits or actions at law, judgments and costs, including attorney's fees, which may arise or grow out of any injury to or death of persons, or damages to property, caused by, arising from or in any manner connected with the exercise of any right granted or conferred hereby, of the use, maintenance, operation or condition of the property herein leased or the activities thereon conducted by Lessee, whether sustained by Lessee, Lessor, their respective agents or employees, or by any other persons, or corporations which seek to hold Lessor liable.

10. **CURING OF DEFAULTS.** Notwithstanding any provisions of this lease containing a default provision, any present or future holder of a mortgage, deed of trust or other security agreement secured by the land herein shall have the right of a sixty day notice of default within which to cure any default which may be cured by the payment of money. In addition, for any other default for which a forfeiture of said lease may be invoked, such holder of such mortgage, deed of trust or other security interest shall be entitled to a notice in writing of the claimed default and shall have Sixty (60) days to either require the correction of such default or in lieu thereof to protect itself through the exercise of a power of sale and thereby acquire title to said properties and correct such default.

11. **CLASSIFICATION.** This lease is granted subject to Lessor receiving final approval of a classification change, if necessary, of the lands herein described, as provided by state law.

12. **RESERVATIONS.** (a) Lessor reserves title to all topsoil, timber, minerals, oil, gas, metals, compounds of metals, metal-bearing ores, clay, sand, gravel, coal, lignite or other subterranean rights together with the right of ingress and egress to remove same, notwithstanding which the Lessee shall have the right to pave and grade the subject land as necessary for ordinary use. (b) Lessor reserves the right to grantor sell rights-of-way easements for roads, highways, railroads, telephone lines, electric lines, water lines and other utility lines provided that the Lessee shall be paid a reasonable rental for the unexpired term of this lease by the grantee of such rights-of-way easements, not to interfere with Lessee's improvements or business use of the property. (c) Lessor reserves the right to lease the land for the exploration and development of oil, gas and minerals together with the right of ingress and egress for such purposes, but which are not to interfere with Lessee's improvements or business use of the property.

13. **QUIET AND PEACEABLE POSSESSION.** Lessee shall have quiet and peaceable possession so long as compliance is made by Lessee with the terms of this Agreement.

14. **SUCCESSORS.** The provisions of this lease shall be binding upon the Lessee's successors and assigns.

15. **GENERAL DUTIES OF LESSEE.** Lessee agrees:

- (a) To comply with all laws and ordinances applicable to the use of the property.
- (b) To allow Lessor or its authorized representatives reasonable access to the property during normal business hours.
- (c) To pay interest at the maximum rate allowed by law on any rent that is past due.
- (d) To conduct no illegal activities upon the property.

REGULAR MEETING DATED FEBRUARY 4, 2003

- (e) To perform all obligations under this lease without notice of demand.
- (f) To surrender the land to the Lessor upon the termination or expiration of this lease in substantially the same condition as received.

16. SALE OF BUILDINGS AND IMPROVEMENTS.

- (a) If the Lessee desires to sell the buildings and improvements that are situated upon the land and the purchaser of said buildings and improvements finds it desirable to acquire a valid new lease of the land, then the Lessee shall file a "Notice of Cancellation" of his existing lease with the Board of Trustees of Picayune City School District, Superintendent of Education.
- (b) If the proposed cancellation of the existing lease is approved by the Lessor, then the Board of Trustees of Picayune City School District shall cause same to be entered upon the minutes of the Lessor and filed with the Chancery Clerk of Pearl River County for recording.
- (c) Lessor shall then redetermine the Fair Market annual ground rental of said land in accordance with the provisions of item no. 3.
- (d) The Lessor shall then determine the current fair market annual ground rental value of the land exclusive of buildings and improvements, provided, however, said amount shall not be reduced below the annual rental amount provided for in the canceled lease.
- (e) The purchaser of the buildings and improvements on the land shall have the exclusive option to lease the said land from the Lessor at the current fair market annual rental value of the land exclusive of buildings improvements.

17. CREATION OF SECURITY INTERESTS.

- (a) The Lessee and every successor Lessee is granted the right to create a mortgage, deed of trust or other security interest in this lease and to assign this lease as collateral for such security interest without the Lessor's consent.
- (b) If the holder of such a mortgage, deed of trust or other security interest in this lease shall institute foreclosure proceedings for default in the mortgage, deed of trust or other security agreement which proceedings result in a sale of the Lessee's interest in this lease then in such event the purchase at such foreclosure sale shall thereby acquire the Lessee's interest in this lease.
- (c) No such foreclosure or resulting sale shall constitute a violation of any restriction or prohibition of assignments, sub-lease, or transfer of this lease.
- (d) The purchaser shall have the right to sell or assign this lease in whole without the prior written approval of the Lessor.

18. COVENANTS. As an inducement to the making of this lease, Lessee covenants, represents and warrants to Lessor as follows:

- (a) Lessee, as the holder of a prior lease, is the sole party having any claim provided by law to a re-lease of said land or to any extension of such prior lease; and,
- (b) For at least the immediate past three (3) years, all real estate ad valorem taxes and special assessments applicable to said property have been paid. Lessor shall have the right, at its option, of terminating this lease upon discovery of a breach of either one or both of the foregoing covenants.

19. RELEASE.

- (a) Lessee may Release the lease on any anniversary date for said lease on Sixty (60) day written notice provided Lessee is not in default of any provision of this lease.

IN WITNESS WHEREOF, this lease is executed by Lessor pursuant to order entered upon its minutes and is executed by Lessee this the ____ day of _____, 2003.

REGULAR MEETING DATED FEBRUARY 4, 2003

Board of Trustees of Picayune City School District: Lessor

By: _____
Superintendent of EducationBy: _____
President of the Board of EducationBy: _____
President of the Board of Supervisors

And

City of Picayune By and Through Its Mayor: Lessee

By: _____
Greg Mitchell, Mayor City of Picayune

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy and Bounds**VOTING NAY:** Council Members Roberson and Watts

The motion was declared carried.

CONSIDER REQUEST TO PURCHASE FOUR NEW POLICE PACKAGE CARS

Motion was made by Council Member Bounds, seconded by Council Member Watts to authorize the Purchasing Agent to purchase four new 2003 Ford Crown Victoria Police Package cars from Butch Oustalet Ford from State Contract in the amount of \$19,757 each for a total cost of \$79,028. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds**VOTING NAY:** None

The motion was declared carried.

PUBLIC HEARING ON PROPERTY CLEANUP FOR 116 MOODY STREET

A public hearing on the condition of the property located at 116 Moody Street and owned by Sadie Parker and Kevin Cotton was held. It has been noted that the property has been cleaned. No action was taken.

PUBLIC HEARING ON PROPERTY CLEANUP FOR 121 WEST SYCAMORE ROAD

A public hearing on the condition of the property located at 121 West Sycamore Road and owned by Charles Hartfield was held. It has been noted that the property has been cleaned. No action was taken.

PUBLIC HEARING ON PROPERTY CLEANUP FOR 606 CHARLOTTE DRIVE

A public hearing on the condition of the property located at 606 Charlotte Drive and owned by Darrell Hampton was held. It has been noted that no cleanup had been done and that the condition of the property constitutes a menace to the public health and safety of the area. Motion was made by Council Member Watts, seconded by Council Member Roberson, to

REGULAR MEETING DATED FEBRUARY 4, 2003

authorize the City to have the property cleaned and the cost charged against the property. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

PUBLIC HEARING ON PROPERTY CLEANUP FOR 301 DOZIER STREET

A public hearing on property cleanup was held for property located at 301 Dozier Street and owned by Richard Buckley. It has been noted that no cleanup had been done and that the condition of the property constitutes a menace to the public health and safety of the area. Motion was made by Council Member Watts, seconded by Council Member Roberson, to authorize the City to have the property cleaned and the cost charged against the property. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

IN THE MATTER OF BOARDS AND COMMISSIONS

Motion was made by Council Member Bounds, seconded by Council Member Guy, to postpone the action on appointments to the following Boards and Commissions:

Cemetery Commission
Library Commission
Veterans Memorial Commission
Contractors Board

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO APPROVE SUPPLEMENTAL AGREEMENT NO. 1 WITH TWIN L CONSTRUCTION

Motion was made by Council Member Bounds, seconded by Council Member Guy, to approve and authorize the Mayor to sign Supplemental Agreement No.1 extending Twin L Construction 21 days to contract on Memorial Boulevard work which will result in a revised completion date of March 1, 2003 with a total of 231 days. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT WITH THE VALUATION ADVISORY GROUP

Motion was made by Council Member Guy, seconded by Council Member Parker, to authorize the Mayor to sign the following agreement with The Valuation Advisory Group to provide services to assess and value the infrastructure of the City to be in compliance with GASB 34:

January 9, 2003

Ms. Nicole Dagnall
City Clerk
City of Picayune
203 Goodyear Boulevard
Picayune, Mississippi 39466

Dear Ms. Dagnall:

The Valuation Advisory Group, Inc. is pleased to offer this proposal for professional property record services. The purpose of our services will be to provide you with a comprehensive and auditable property record, which will enhance fixed asset accounting and property control procedures. This property record will be designed to assist the City in complying with Generally Accepted Accounting Principles (GAAP) and GASB Statement No. 34.

This proposal was prepared after our discussions concerning the properties and fixed assets, as well as the accounting procedures, of the City of Picayune. The reports produced as a result of this engagement will be useful as internal management tools with regard to accounting, budgeting, planning and purchasing, and will serve to enhance general fixed asset control.

SCOPE

The services we propose will be conducted on the basis of historical cost for financial reporting purposes, defined as the actual or estimated cost of a property to its present owner. The report will include items inventoried by or provided to The Valuation Advisory Group as of a cutoff date to be determined. The properties to be included in this project will consist of major general and enterprise fund infrastructure assets, consisting of long-lived assets such as roads, sidewalks, storm drainage systems, bridges, tunnels, traffic lights, street lighting, underground piping, pump stations, treatment facilities, etc.

There are several levels of detail with which the assets can be reported; the level of detail presented in our reports will largely be dictated by the level of detail available in City records. One option is to list infrastructure assets individually, i.e. road by road, sidewalk by sidewalk, bridge by bridge, etc., with individual acquisition dates and historical costs assigned to each asset. Another option permitted by GASB 34 is to present the assets, along with their acquisition dates, historical costs and depreciation, on an asset class, network or subsystem basis, as clarified in footnotes 14 and 15 of the Guide to Implementation of GASB Statement No. 34. General fund infrastructure networks are expected to be at least 10% of an entity's capital assets, while subsystems represent in excess of 5%.

The subject assets will be included based on a combination of verifying existing records and performing accepted appraisal techniques. In performing our analysis of the historical costs of these assets, we will work with the City's existing records where possible. In assigning historical costs to these assets, we feel that it is important to utilize actual costs, where these costs are available. In researching historical costs, we will make extensive use of such sources of information as minute books, deed files, bid files, contractor payment applications, etc. Only as a last resort will we resort to an appraisal based on a trending of current replacement costs. This use of actual historical costs helps to ensure the auditability of the record.

REGULAR MEETING DATED FEBRUARY 4, 2003

We see this project as a cooperative effort between The Valuation Advisory Group and City personnel. As it is not feasible to perform a detailed inventory of infrastructure assets, we will rely on engineering studies, public works records, maintenance files, etc., in determining the appropriate infrastructure assets to be included in our reports. Where costs are not available, costs will be assigned to infrastructure assets for which actual costs are not provided using standard costing methods, whereby estimated replacement costs are reverse-trended to an estimated or actual acquisition date. No physical verification of the inventories to be provided will be performed.

It is our understanding that land, buildings, furniture and equipment, and vehicles are to be excluded from the scope of this project.

METHODOLOGY

In order to facilitate the project, we ask for the following assistance from City personnel:

- to provide a liaison who will be available to answer questions, provide data, and arrange access to various areas; and
- to provide the following statistical data concerning the City infrastructure:
 - quantity
 - type and size, if applicable
 - construction of acquisition date
 - costs, where known.

The Valuation Advisory Group, Inc. will provide the following under this agreement:

- conduct research into the cost of infrastructure assets and, where necessary, perform accepted appraisal techniques in order to identify and assign proper historical costs;
- assign acquisition dates to the included items, where necessary;
- calculate depreciation, both current and accumulated, in accordance with GASB 34; and
- develop and process final reports.

REPORTS

In addition to summaries by asset type, your reports will include the following information, by asset:

- item number within report
- description of the asset
- location, if applicable
- fund/function
- acquisition date
- historical cost
- useful life
- depreciation, both current and accumulated

In addition to three bound copies of our report, we will provide the report data in spreadsheet format (Lotus 1-2-3, Quattro-Pro, Microsoft Excel, etc.), database format (dBase IV, Microsoft Access, etc.), or in an ASCII format to allow for conversion onto most PC - or mainframe-based fixed asset systems.

FEES

Based on the scope and methodology outlined, our fees for the services as outlined will be \$9,200, inclusive of all expenses incurred during the course of the engagement. We ask for a \$2,500 retainer prior to beginning the project, with the balance to be invoiced progressively over the course of the engagement.

REGULAR MEETING DATED FEBRUARY 4, 2003

CONCLUSION

We appreciate the opportunity to offer this proposal, and look forward to working with you. In summary, the clear strength of The Valuation Advisory Group, Inc. lies in our unequalled commitment and capabilities in serving the public sector and our sensitivity to the needs of our clients. We are the only national valuation firm serving the public sector from an accounting perspective; this project will be performed and/or directly supervised by a Certified Public Accountant, with documentation sufficient to answer auditor and City inquiries.

We take pride in providing the highest quality service, with a minimum level of involvement on the part of client personnel. Our experience in serving the fixed asset accounting and property record needs of the public sector, and our reputation for providing quality and timely service, may be verified by checking with any of numerous references, a partial list of which is attached.

If this letter meets with your approval, please authorize commencement by signing the enclosed copy and returning it with a check for the retainer. However, if you have any questions or would like to further discuss the project, please do not hesitate to call.

We sincerely look forward to hearing from you and to the opportunity of being of service to the City of Picayune.

Respectfully submitted,

THE VALUATION ADVISORY GROUP, INC.

/s/ F. Gregory Rhodes, CPA

FGR:ans
Enclosures

ACCEPTANCE _____
NAME/TITLE

DATE

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

ACCEPTANCE OF PLANNING COMMISSION MINUTES

Motion was made by Council Member Guy, seconded by Council Member Bounds to accept the minutes of the Planning Commission dated December 10, 2002. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

REGULAR MEETING DATED FEBRUARY 4, 2003ACKNOWLEDGE RECEIPT OF PLANNING COMMISSION MINUTES

Motion was made by Council Member Guy, seconded by Council Member Roberson, to acknowledge receipt of the Planning Commission minutes dated January 14, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR VARIANCES FROM NEXTEL PARTNERS, INC.

Upon recommendation of the Planning Commission, motion was made by Council Roberson, seconded by Council Member Watts, to deny requests for lattice tower instead of monopole; 190' height with 5' lightning rod; 170.25' rear yard setback from Nextel Partners, Inc. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds.

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR TEMPORARY USE BY NEXTEL PARTNERS, INC.

Upon recommendation of the Planning Commission, motion was made by Council Member Bounds to approve temporary use permit of portable tower until April 30, 2003 from Nextel Partners, Inc. There being no second, Council Member Bounds withdrew his motion. Motion was made by Council Member Guy, seconded by Council Member Roberson to table any action on the request until more information could be gathered. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR CHILD CARE CENTER IN R-2 ZONE

Motion was made by Council Member Parker, seconded by Council Member Guy to table action on request for ChildCare Center in R-2 zone until the February 18th meeting. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

REGULAR MEETING DATED FEBRUARY 4, 2003CONSIDER STATEMENTS OF QUALIFICATIONS FOR ENGINEERING SERVICES FOR FRIENDSHIP PARK RECREATION IMPROVEMENTS PROGRAM

Motion was made by Council Member Bounds, seconded by Council Member Guy to accept the recommendation of the Selection Committee and select the proposal of Neel-Schaffer, Inc. for the design services for Friendship Park Improvements. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ADVERTISE FOR SALE OF LOTS

Motion was made by Council Member Guy, seconded by Council Member Bounds to authorize the Community Development Director to advertise lots 3 and 5 Westside Redevelopment Area for sale. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members, Parker, Watts, Guy and Bounds

VOTING NAY: None

ABSTAINED AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE THE MAYOR TO SIGN REGIONAL RESPONSE TEAM PARTICIPATION FORM

Motion was made by Council Member Watts, seconded by Council Member Roberson, to authorize the Mayor to sign the Regional Response Team Participation Form. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE THE MAYOR TO SIGN THE PRE-APPLICATION TO RURAL DEVELOPMENT

Motion was made by Council Member Roberson, seconded by Council Member Watts, to authorize the Mayor to sign the pre-application to Rural Development to purchase equipment for the Fire Department. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

REGULAR MEETING DATED FEBRUARY 4, 2003CONSIDER REQUEST FOR CITY TO COMMIT SHARE OF THE FUNDING IF APPLICATION IS APPROVED

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to approve local match in the amount of \$52,245 for the City's share of the funding to purchase equipment for the Fire Department if application is approved. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ADVERTISE RESOURCES OF THE CITY

Motion was made by Council Member Roberson, seconded by Council Member Watts, to advertise the resources of the City of Picayune in the amount of \$750.00 to the Picayune Memorial High School Mixed Show Choir. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ISSUE MANUAL CHECK

Motion was made by Council Member Guy, seconded by Council Member Roberson, to issue a manual check in the amount of \$750.00 to the Picayune Memorial High School Mixed Show Choir to advertise the resources of the City. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to enter executive session to discuss a personnel matter in the Police Department and to discuss a

REGULAR MEETING DATED FEBRUARY 4, 2003

transaction of business regarding the expansion of a business in the Industrial Park. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss a personnel matter in the Police Department and to discuss a transaction of business regarding the expansion of a business in the Industrial Park.

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Roberson, seconded by Council Guy, and unanimously carried, the Mayor reopened the meeting. The Mayor stated that in executive session the following action took place and no action was taken on the personnel matter at the Police Department.

ORDER TO GRANT REQUEST FROM LARRY WILLIAMSON TO EXERCISE OPTION TO PURCHASE

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to grant request from Larry Williamson to exercise option to purchase 6.96 acres in the Industrial Park in the amount of \$ 67,200.00 and authorize the Mayor to sign the following Warranty Deed:

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged and confessed, I, **THE CITY OF PICAYUNE, MISSISSIPPI, A Mississippi Municipality** have, and do by these presents hereby grant, bargain, sell, convey and warrant unto, **L & J INVESTMENTS, L.L.C. A Mississippi Limited Liability Company**, the following described real property, together with any and all improvements and appurtenances thereto belonging, situated in Pearl River County, Mississippi, to-wit:

Commencing at the Northeast corner of Picayune Industrial Park said point being a 2-1/2" pipe on the margin of Martin Luther King Jr. Blvd. & New Orleans/Northeastern Railroad; thence along the west margin of said railroad and old fence South 11 degrees 59 minutes 19 seconds West 612.00 feet to the Point of Beginning; thence along said margin and fence South 11 degrees 59 minutes 19 seconds West 634.18 feet; thence leaving said margin North 67 degrees 39 minutes 18 seconds West 753.12 feet to the East margin of a paved public road; thence along said margin Northeasterly along arc of curve having a radius of 110.00 feet for a distance of 49.23 feet; thence Northeasterly along the arc of a curve having a radius of 500.90 feet for a distance of 181.71 feet; thence continuing along said margin North 23 degrees 59 minutes 21 seconds East 155.93 feet; thence along said margin Northeasterly along arc of curve having a radius of 646.64 feet for a distance of 282.14 feet; thence leaving said margin South 72 degrees 38 minutes 12 seconds West 555.00 feet to the Point of Beginning. This parcel containing 8.96 acres more or less and being a part of the Southeast Quarter of Section 22, Township 6 South, Range 17 West, Pearl River County, Mississippi.

REGULAR MEETING DATED FEBRUARY 4, 2003

The Grantor does hereby transfer any interest, right or title in and to the herein before described real property unto the Grantee that said Grantors acquired in the subject property by any means.

Witness, my signature, on this the _____ day of _____ A.D., 2003.

THE CITY OF PICAYUNE, A Mississippi
Municipality

Greg Mitchell, Mayor
City of Picayune

Nicole Dagnall, City Clerk
City of Picayune

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and
Bounds

VOTING NAY: None

The motion was declared carried.

Council Member Watts left meeting

**CONSIDER REQUEST FROM B-WAY CORPORATION FOR 10 YEAR TAX
EXEMPTION**

Motion was made by Council Member Roberson, seconded by Council Member Guy, to approve the request from B-Way Corporation for a five- (5) year tax exemption with another five- (5) year tax exemption option. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

Council Member Watts returned to meeting

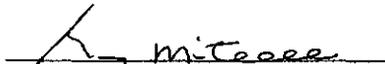
REGULAR MEETING DATED FEBRUARY 4, 2003ORDER TO ADJOURN

Motion was made by Council Member Guy, seconded by Council Member Bounds, to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts Guy and Bounds

VOTING NAY: None

The motion was declared carried.


Greg Mitchell, Mayor

ATTEST:


Nicole Dagnall, City Clerk

February 18, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, February 18, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Kathy Watts, Leavern Guy, Sr., and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Nicole Dagnall, Deputy City Clerk Brenda Ford, City Attorney Nathan Farmer and Major David Ervin.

It Being Determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance led by Boy Scout Troop #5.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Guy, seconded by Council Member Bounds, to approve the minutes of the Mayor and Council dated January 13, 2003 and February 4, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Bounds, to approve the issuance of the following manual checks:

Blain Heath	General	\$ 270.00
Mickey Miller	Utility	\$ 145.00
Entex	Utility	\$23,668.50
Gulfsouth Pipeline Co.	Utility	\$25,067.04
UMC	Utility	\$ 1,653.84
Kathy Watts	General	\$ 267.44
J.P. Burns, Jr.	General	\$ 300.50
Jerry Bounds	General	\$ 338.50

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

REGULAR MEETING DATED FEBRUARY 18, 2003CONSIDER REQUEST TO ACKNOWLEDGE RECEIPT OF MONTHLY BUDGET REPORTS

Motion was made by Council Member Guy, seconded by Council Member Bounds, to acknowledge receipt of the Monthly Budget Reports for the month of January 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ACKNOWLEDGE RECEIPT OF PUBLIC RECORDS REQUESTS REPORT

Motion was made by Council Member Guy, seconded by Council Member Bounds, to acknowledge receipt of Public Records Requests Report for the months of December 2002 and January 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE THE MAYOR TO SIGN QUITCLAIM DEED

Motion was made by Council Member Guy, seconded by Council Member Bounds, to authorize the Mayor to sign a quitclaim deed for 1997 taxes in the name of Deposit Guaranty National Bank, parcel # 089-0-30-0010-000. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ACKNOWLEDGE RECEIPT OF RETIREMENT DEVELOPMENT MONTHLY ACTIVITIES REPORT

Motion was made by Council Member Guy, seconded by Council Member Bounds, to acknowledge receipt of Retirement Development Monthly Activities Report for the month of January 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ACKNOWLEDGE RECEIPT OF MINUTES FROM PARTNERS FOR PEARL RIVER COUNTY

REGULAR MEETING DATED FEBRUARY 18, 2003

Motion was made by Council Member Guy, seconded by Council Member Bounds, to acknowledge receipt of minutes from Partners for Pearl River County dated November 25, 2002. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ADVERTISE THE RESOURCES OF THE CITY

Motion was made by Council Member Guy, seconded by Council Member Bounds, to authorize the issuance of a manual check in the amount of \$250.00 made payable to Pearl River Community College Development Foundation to advertise the resources of the city for a ½ page ad in the cook book. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR ADOPTION OF PROCLAMATION

Motion was made by Council Member Guy, seconded by Council Member Bounds, to adopt and authorize the Mayor to sign the following proclamation:

PROCLAMATION

WHEREAS, the school board members of the Picayune School District have remained committed to providing an excellent education to every child, despite funding uncertainties, more stringent accountability standards; and the latest mandates of the federal No Child Left Behind Act; and,

WHEREAS, the Picayune School District community is indebted to our school board members who provide outstanding leadership in facilitating needed instructional and operational improvements in the Picayune School District; and,

WHEREAS, the school board members of the Picayune School District work diligently to ensure that boys and girls of this community are provided education opportunities that help them compete effectively in today's ever-changing technology-driven society; and,

WHEREAS, the board members of the Picayune School District have proven responsive to the community, seeking to serve the best interests of both children and community; and,

WHEREAS, School Board Member Recognition Week has been proclaimed in Mississippi for February 16-22, 2003; and,

WHEREAS, this community realizes that it cannot be its best without working to help make the Picayune School District its best:

BE IT THEREFORE RESOLVED, that we, the members of the Picayune City Council do hereby commend the School Board Members of the Picayune School District and salute them for their continued commitment to the children of our school system, and the future of the Picayune School District community.

REGULAR MEETING DATED FEBRUARY 18, 2003

Greg Mitchell, Mayor
City of Picayune

Secretary, City of Picayune

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER APPROVAL OF APPOINTMENTS TO PROCUREMENT SELECTION COMMITTEE

Motion was made by Council Member Guy, seconded by Council Member Bounds, to approve the following positions for Procurement Selection Committee for, the purpose of evaluating and rating proposals for professional services:

1. Engineer
2. Public Works Manager
3. Planning & Development Director
4. Purchasing Agent

The committee, after careful review, will recommend the firm deemed most advantageous to the council for their approval or disapproval. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER ACCEPTANCE OF THE PLANNING COMMISSION MINUTES

Motion was made by Council Member Guy, seconded by Council Member Bounds, to accept the minutes of the Planning Commission dated January 14, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER ACKNOWLEDGING RECEIPT OF THE PLANNING COMMISSION MINUTES

Motion was made by Council Member Guy, seconded by Council Member Bounds, to acknowledge receipt of the Planning Commission minutes dated February 11, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and

REGULAR MEETING DATED FEBRUARY 18, 2003

Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER COMPLETION AND CLOSURE OF THE MISSISSIPPI HOMETOWN RETIREMENT GRANT

Motion was made by Council Member Guy, seconded by Council Member Bounds, to accept as complete and closed and authorize the Mayor to sign the final report for the Mississippi Hometown Retirement Grant # MR023. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR STREET CLOSURE

Motion was made by Council Member Guy, seconded by Council Member Bounds, to authorize the closure of Rosa Street between West Street and Sherd Street and Beech Street at the West exit of the Southside Elementary School to Rosa Street for the annual Head Start Mardi Gras Parade on February 28, 2003 from approximately 9:00 a.m. to 10:30 a.m. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

IN THE MATTER OF THE CONTRACTORS BOARD

Motion was made by Council Guy, seconded by Council Member Bounds, to reappoint members to the Contractors Board as follows for a one year term to expire in January 2004:

Home Builder	Elgie Bennett
Plumber	Tommy Anderson
Electrician	James Kinchen
Bus./Fin.	Aaron Russell
Citizen	Edward Stubbs
Citizen	Edwin Merwin
Engineer	James Bouie

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

REGULAR MEETING DATED FEBRUARY 18, 2003IN THE MATTER OF THE CEMETERY COMMISSION

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to reappoint Hilbert Miller to the Cemetery Commission for a five-year term to expire in January 2008. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

IN THE MATTER OF THE LIBRARY COMMISSION

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to reappoint Dr. James Schrock to the Library Commission for a five-year term to expire in January 2008. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

IN THE MATTER OF THE VETERAN'S MEMORIAL COMMISSION

Motion was made by Council Member Roberson, seconded by Council Member Guy to table action on appointments to Veteran's Memorial Commission. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR CHILD CARE CENTER IN R-2 ZONE

At the request of the property owner, Ms. Doreen Jones, motion was made by Council Member Guy, seconded by Council Member Parker, to drop the request for a Child Care Center in a R-2 zone. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR TEMPORARY POLE - NEXTEL

Motion was made by Council Member Guy, seconded by Council Member Bounds, to table request from the Planning Commission to approve a temporary use permit for a portable pole tower for Nextel until the March 18, 2003 meeting. The following roll call vote was taken:

REGULAR MEETING DATED FEBRUARY 18, 2003

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR HOME OCCUPATION LICENSE

Motion was made by Council Member Guy, seconded by Council Member Parker, to follow the recommendation of the Planning Commission to approve the request from Mark S. Hughes, 2404 Hillsdale Road for a home occupation license to operate a computer repair service from his home. No stock in trade. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR HOME OCCUPATION LICENSE

Motion was made by Council Member Guy, seconded by Council Member Watts, to follow the recommendation of the Planning Commission to approve the request from Irven Cousin, Jr., 1701 Adcox Road, #1, for a home occupation license to operate a painting business from his home. He is a painter with no stock in trade. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR CONDITIONAL USE

Motion was made by Council Member Guy, seconded by Council Member Bounds, to follow the recommendation of the Planning Commission to approve request for conditional use for property located at 340 S. Haugh Avenue, C-2 zone for a single family dwelling to built for Habitat for Humanity. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR CONDITIONAL USE

Motion was made by Council Member Roberson, seconded by Council Member Guy, to follow the recommendation of the Planning Commission to approve request for conditional use for property located at 1208 E. Canal Street to build single family dwelling that has been cleaned and house demolished with property cleanup program, with the stipulation that \$2,775 be paid to cover all cleanup cost on this property before a building permit is issued. The owner is Richard Jones. The following roll call vote was taken:

REGULAR MEETING DATED FEBRUARY 18, 2003

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

At this time Council Member Bounds left meeting.

CONSIDER REQUEST TO APPLY TO MISSISSIPPI DEVELOPMENT AUTHORITY FOR A HOMETOWN MISSISSIPPI RETIREMENT MARKETING MATCH GRANT

Motion was made by Council Member Guy, seconded by Council Member Parker, to authorize the Community Development Director to apply for and authorize the Mayor to sign Hometown Mississippi Retirement Marketing Match Grant. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

CONSIDER REQUEST TO COMMIT MATCH FUNDS TO THE HOMETOWN MISSISSIPPI RETIREMENT MARKETING GRANT

Motion was made by Council Member Watts, seconded by Council Member Roberson, to commit \$2,291.11 for the Hometown Mississippi Retirement Marketing Grant. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE THE MAYOR TO SIGN AGREEMENT

In order to comply with the mandated requirements of the United States Department of Transportation Disadvantaged Business Enterprise Program and the Mississippi Uniform Certification Program motion was made by Council Member Guy, seconded by Council Member Parker, to authorize the Mayor to sign the Certification for Compliance Agreement with the Mississippi Department of Transportation and the Mississippi Department of Transportation Aeronautics Division. This compliance is required to receive funding from the United States Department of Transportation. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

REGULAR MEETING DATED FEBRUARY 18, 2003

CONSIDER REQUEST TO APPROVE PARADE PERMIT FOR THE KREWE OF ROSES MARDI GRAS PARADE

Motion was made by Council Member Roberson, seconded by Council Member Guy, to approve the parade route and date of March 3, 2003 for the Krewe of Roses Mardi Gras Parade. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

ORDER TO ADJOURN

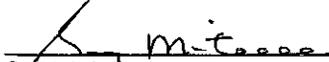
Motion was made by Council Member Guy, seconded by Council Member Parker, to hold a workshop on Thursday, February 20, 2003 at 5:00 p.m. at city hall and to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

VOTING NAY: None

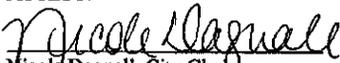
ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.



Greg Mitchell, Mayor

ATTEST:


Nicole Dagnall, City Clerk

March 4, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, March 4, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Kathy Watts, and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Nicole Dagnall, Deputy, and City Attorney Nathan Farmer,

It Being Determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Rev. John Brock, followed by the Pledge of Allegiance led by Council Member Kathy Watts.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Parker, to approve the minutes of the Mayor and City Council dated February 18, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Parker to approve the issuance of the following manual checks:

City of Picayune, General Fund	Utility	NTE	\$ 52,000.00
MS. State Tax Commission	Utility	NTE	\$ 6,000.00

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

REGULAR MEETING DATED MARCH 4, 2003CONSIDER REQUEST TO AUTHORIZE THE MAYOR TO SIGN HANGAR LEASES

Motion was made by Council Member Bounds seconded by Council Member Parker to authorize the Mayor to sign the following hangar leases at the Picayune Municipal Airport:

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER**

HANGAR LEASE AGREEMENT

This HANGAR LEASE AGREEMENT made and entered into this, the 4th day of March 2003, by and between the City of Picayune, hereinafter referred to as "Lessor" and Chevron USA, Inc., hereinafter referred to as the "Lessee", WITNESSETH:

For and in consideration of the rents, covenants and agreements hereinafter-contained Lessor does hereby rent and lease unto Lessee the following:

1. PREMISES

Lessor does hereby lease and let to Lessee Hangar No. 1 located at the Picayune Municipal Airport, Picayune, Mississippi, together with reasonably necessary rights of access across Lessor's adjoining areas. Lessee has inspected the Hangar and accepts the Hangar in its present condition.

2. TERM

The term of this Agreement shall be month-to-month, with the term to begin on the 1st day of June 2, 200, and continue thereafter each month until either party gives notice of termination or default by Lessee. Either party may terminate this Agreement by giving thirty (30) days written notice to the other party of its intent to terminate this Agreement, regardless of breach or compliance of either party.

3. RENT

Lessee shall pay, as rent for the use of the described Hangar, the amount of \$175.00 per month, in advance on the first day of each month, and said rent shall be payable by mail to the Picayune Municipal Airport, 203 Goodyear Boulevard, Picayune, Mississippi 39466, or by personal delivery to the Picayune Municipal Airport office at 148 Runway Road, Picayune, Mississippi. Rent may be changed from time to time by Lessor upon thirty- (30) days written notice to Lessee.

4. USE OF PREMISES

The hangar hereby leased shall be used only for the storage of aircraft owned or leased by Lessee. No maintenance of the stored aircraft shall be conducted in the Hangar except such minor maintenance as would normally be performed by an aircraft owner without the benefit of an aircraft mechanic. Lessee further agrees that no commercial aviation activities shall be conducted at the Picayune Municipal Airport without the express written permission of the Lessor. Commercial Aviation activities include, but are not limited to aircraft rental, charter, aircraft leasing, flight instruction, aerial survey and aerial photography, etc. The storage of fuel or other flammable materials in the Hangar is strictly prohibited. The Lessee shall not engage in any illegal activity and shall abide by all Federal, State, and FAA regulations and the City of Picayune Airport Minimum Standards and Rules and Regulations.

5. INDEMNIFICATION

Lessee shall keep, protect and save harmless, Lessor from any loss, cost, claim, judgment or expense of any sort or nature, and from any liability to any person, on account of any injury, damage or death to any person, or property arising out of any use of the leased premises by Lessee, its agents, or any other party or person acting under the direction or control of Lessee.

6. SECURITY

Lessee agrees to abide by and cooperate with Lessor in the enforcement and implementation of all airport security regulations. Security of the Hangar shall be the responsibility of Lessee. Lessee agrees to provide Lessor with a key to any lock or locking

REGULAR MEETING DATED MARCH 4, 2003

devices used to secure the Hangar. Lessor agrees that the key will be used only in a case of emergency or for inspection of the premises.

7. HAZARDOUS SUBSTANCES

Lessee shall not cause or permit any Hazardous Substances to be brought upon, kept or used in, on or about the hangar by Lessee, its agents or invitees, and Lessee, by execution of this Lease, covenants, warrants and represents to Lessor that it will keep the lease premises free from any and all unlawful contamination with hazardous substances and that it will hold Lessor harmless from any loss or damage with respect thereto and that Lessee will be solely responsible for any and all costs and expenses incurred for remediation in the event the same is required. Violation of this provision shall mean immediate termination of this Lease, which said termination, shall not relieve the Lessee from its liability hereunder.

8. SUBLEASE/ASSIGNMENT

Lessee shall not have the right to sublet the Hangar leased under this agreement, nor shall the Lessee have the right to assign this Lease without the express written consent of the Lessor. Storage of aircraft not belonging to or leased by the Lessee shall be construed as a sublease, and unless approved by the Lessor, shall be grounds for termination of this Lease.

9. DEFAULT

In the event Lessee shall default in the payment of any installment of rent or other sum herein specified and such default shall continue for ten (10) days after written notice thereof, or if Lessee shall default in the observance or performance of any other of the Lessee's covenants, agreements, or obligations hereunder and such default shall not be corrected within thirty (3) days after written notice thereof, then the Lessor shall have the right to take complete possession of the leased premises, to declare the term of this Lease ended, and remove any of the Lessee's personal effects, without prejudice to any remedies which might be otherwise used for arrears of rent or other default.

10. FORCE MAJEURE

In the event of a natural disaster or other unforeseen event including, but not limited to, floods, major winds or storm damage or fire. Lessor may, at its option and with or without notice, terminate this Lease.

11. INSURANCE

Lessee agrees to be responsible for maintaining liability insurance in an amount not less than \$100,000.00 during the term of this Lease. Lessee shall deliver to Lessor an annual certificate demonstrating that insurance is paid and copies of the insurance policy issued by the insurance company. Lessor will be named as an insured and loss payee under the policy. Lessee shall have the right to satisfy its insurance obligation through self-insurance or through participation in the Chevron Texaco self-administered claims adjustment program.

12. SURRENDER OF PREMISES

Upon expiration of this Agreement for any reason, Lessee shall peacefully surrender and deliver possession of the leased premises to Lessor in as good condition and repair as at the inception of this Agreement, normal wear and tear excepted.

13. NOTICES

Should any notices be required to be given to the respective parties, the notice shall be given in writing by registered or certified mail at the following addresses or at such other addresses as may be substituted by subsequent notices to-wit:

As to Lessor: Airport Manager
Picayune Municipal Airport
203 Goodyear Boulevard
Picayune, Mississippi 39466

As to Lessee: Chevron USA, Inc.
96 Runway Road
Picayune, Mississippi 39466
(601) 749-4024

REGULAR MEETING DATED MARCH 4, 2003

WITNESS the signatures of the parties hereto, this the ____ day of _____ 2003.

LESSOR: City of Picayune
By: _____
Greg Mitchell, Mayor

ATTEST:

Nicole Dagnall, City Clerk

LESSEE: _____

WITNESS:

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER**

HANGAR LEASE AGREEMENT

This HANGAR LEASE AGREEMENT made and entered into this, the 4th day of March, 2003, by and between the City of Picayune, hereinafter referred to as "Lessor" and Darren Dennis, hereinafter referred to as the "Lessee", WITNESSETH:

For and in consideration of the rents, covenants and agreements hereinafter-contained Lessor does hereby rent and lease unto Lessee the following:

1. **PREMISES**

Lessor does hereby lease and let to Lessee Hangar No. 1 located at the Picayune Municipal Airport, Picayune, Mississippi, together with reasonable necessary rights of access across Lessor's adjoining areas. Lessee has inspected the Hangar and accepts the Hangar in its present condition.

2. **TERM**

The term of this Agreement shall be month-to-month, with the term to begin on the 1st day of January 2003, and continue thereafter each month until either party gives notice of termination or default by Lessee. Either party may terminate this Agreement by giving thirty (30) days written notice to the other party of its intent to terminate this Agreement, regardless of breach or compliance of either party.

3. **RENT**

Lessee shall pay, as rent for the use of the described Hangar, the amount of \$100.00 per month, in advance on the first day of each month, and said rent shall be payable by mail to the Picayune Municipal Airport, 203 Goodyear Boulevard, Picayune, Mississippi 39466, or by personal delivery to the Picayune Municipal Airport office at 148 Runway Road, Picayune, Mississippi. Rent may be changed from time to time by Lessor upon thirty- (30) days written notice to Lessee.

4. **REPAIR AND MAINTENANCE**

Lessor shall be responsible for timely repairs, replacements and maintenance of the building structure, foundation, exterior walls, and roof. Lessee shall be responsible and liable for any damage to the hangar caused by Lessee's use of the hangar, including but not limited to, bent or broken interior walls, damage to floors due to fuel and oil spillage, door damage due to the

REGULAR MEETING DATED MARCH 4, 2003

Lessee's improper or negligent operation. No alternations, modifications or additions to the hangar shall be made by Lessee without the prior written permission of Lessor.

5. USE OF PREMISES

The hangar hereby leased shall be used only for the storage of aircraft owned or leased by Lessee. No maintenance of the stored aircraft shall be conducted in the Hangar except such minor maintenance as would normally be performed by an aircraft owner without the benefit of an aircraft mechanic. Lessee further agrees that no commercial aviation activities shall be conducted at the Picayune Municipal Airport without the express written permission of the Lessor. Commercial Aviation activities include, but are not limited to aircraft rental, charter, aircraft leasing, flight instruction, aerial survey and aerial photography, etc. The storage of fuel or other flammable materials in the Hangar is strictly prohibited. The Lessee shall not engage in any illegal activity and shall abide by all Federal, State, and FAA regulations and the City of Picayune Airport Minimum Standards and Rules and Regulations.

6. INDEMNIFICATION

Lessee shall keep, protect and save harmless, Lessor from any loss, cost, claim, judgment or expense of any sort or nature, and from any liability to any person, on account of any injury, damage or death to any person, or property arising out of any use of the leased premises by Lessee, its agents, or any other party or person acting under the direction or control of Lessee.

7. INSPECTION

The Lessor may enter the leased Hangar at reasonable times to inspect the premises.

8. SECURITY

Lessee agrees to abide by and cooperate with Lessor in the enforcement and implementation of all airport security regulations. Security of the Hangar shall be the responsibility of Lessee. Lessee agrees to provide Lessor with a key to any lock or locking devices used to secure the Hangar. Lessor agrees that the key will be used only in case of emergency or for inspection of the premises.

9. UTILITIES

At its own expense, Lessee shall be responsible for the connection of electric services to the Hangar. Lessee shall pay as the same becomes due directly to the electricity provider. Failure to pay for such utilities will be considered a default under the terms of this Lease. Lessee shall use light fixtures for its intended purpose only and shall not alter the existing electrical facilities. Lessee shall not operate any air conditioners, refrigerators, large heaters, or other similar appliances. Outlets, when available, may be used only for operation of drop lights, small hand tools, etc. No permitted electrical appliances or other electrical devices shall be connected into the outlet when the Lessee is not present.

Lessor will provide basic water and sewer services to the hangar.

10. HAZARDOUS SUBSTANCES

Lessee shall not cause or permit any Hazardous Substances to be brought upon, kept or used in, on or about the hangar by Lessee, its agents or invitees, and Lessee, by execution of this Lease, covenants, warrants and represents to Lessor that it will keep the lease premises free from any and all unlawful contamination with hazardous substances and that it will hold Lessor harmless from any loss or damage with respect thereto and that Lessee will be solely responsible for any and all costs and expenses incurred for remediation in the event the same is required. Violation of this provision shall mean immediate termination of this Lease, which said termination, shall not relieve the Lessee from its liability hereunder.

11. SUBLEASE/ASSIGNMENT

Lessee shall not have the right to sublet the Hangar leased under this agreement, nor shall the Lessee have the right to assign this Lease without the express written consent of the Lessor. Storage of aircraft not belonging to or leased by the Lessee shall be construed as a sublease, and unless approved by the Lessor, shall be grounds for termination of this Lease.

12. DEFAULT

In the event Lessee shall default in the payment of any installment of rent or other sum herein specified and such default shall continue for ten (10) days after written notice thereof, or

REGULAR MEETING DATED MARCH 4, 2003

if Lessee shall default in the observance or performance of any other of the Lessee's covenants, agreements, or obligations hereunder and such default shall not be corrected within thirty (30) days after written notice thereof, then the Lessor shall have the right to take complete possession of the leased premises, to declare the term of this Lease ended, and remove any of the Lessee's personal effects, without prejudice to any remedies which might be otherwise used for arrears of rent or other default.

13. FORCE MAJEURE

In the event of a natural disaster or other unforeseen event including, but not limited to, flooding, major wind or storm damage or fire, Lessor may, at its option and with or without notice, terminate this Lease.

14. INSURANCE

Lessee agrees to be responsible for maintaining liability insurance in an amount not less than \$100,000.00 during the term of this Lease. Lessee shall deliver to Lessor an annual certificate demonstrating that insurance is paid and copies of the insurance policy issued by the insurance company. Lessor will be named as an insured and loss payee under the policy.

Lessee is solely responsible for maintaining insurance coverage on the contents of the Hangar.

15. SURRENDER OF PREMISES

Upon expiration of this Agreement for any reason, Lessee shall peacefully surrender and deliver possession of the leased premises to Lessor in as good condition and repair as at the inception of this Agreement, normal wear and tear excepted.

16. NOTICES

Should any notices be required to be given to the respective parties, the notice shall be given in writing by registered or certified mail at the following addresses or at such other addresses as may be substituted by subsequent notices to-wit:

As to Lessor: Airport Manager
Picayune Municipal Airport
203 Goodyear Boulevard
Picayune, Mississippi 39466

As to Lessee: Darren Dennis
P.O. Box 783
Picayune, Mississippi 39466
(601) 799-2932

WITNESS the signatures of the parties hereto, this the _____ day of _____ 2003.

LESSOR: City of Picayune

By: _____
Greg Mitchell, Mayor

ATTEST:

Nicole Dagnall, City Clerk

LESSEE: _____

WITNESS:

REGULAR MEETING DATED MARCH 4, 2003STATE OF MISSISSIPPI
COUNTY OF PEARL RIVERHANGAR LEASE AGREEMENT

This HANGAR LEASE AGREEMENT made and entered into this, the 4th day of March 2003, by and between the City of Picayune, hereinafter referred to as "Lessor" and Ken Larpenteur, hereinafter referred to as the "Lessee", WITNESSETH:

For and in consideration of the rents, covenants and agreements hereinafter-contained Lessor does hereby rent and lease unto Lessee the following:

1. PREMISES

Lessor does hereby lease and let to Lessee Hangar No. 1 located at the Picayune Municipal Airport, Picayune, Mississippi, together with reasonably necessary rights of access across Lessor's adjoining areas. Lessee has inspected the Hangar and accepts the Hangar in its present condition.

2. TERM

The term of this Agreement shall be month-to-month, with the term to begin on the 1st day of January 2003, and continue thereafter each month until either party gives notice of termination or default by Lessee. Either party may terminate this Agreement by giving thirty (30) days written notice to the other party of its intent to terminate this Agreement, regardless of breach or compliance of either party.

3. RENT

Lessee shall pay, as rent for the use of the described Hangar, the amount of \$50.00 per month, in advance on the first day of each month, and said rent shall be payable by mail to the Picayune Municipal Airport, 203 Goodyear Boulevard, Picayune, Mississippi, 39466, or by personal delivery to the Picayune Municipal Airport office at 148 Runway Road, Picayune, Mississippi. Rent may be changed from time to time by Lessor upon thirty- (30) days written notice to Lessee.

4. REPAIR AND MAINTENANCE

Lessor shall be responsible for timely repairs, replacements and maintenance of the building structure, foundation, exterior walls, and roof. Lessee shall be responsible and liable for any damage to the hangar caused by Lessee's use of the hangar, including but not limited to, bent or broken interior walls, damage to floors due to fuel and oil spillage, door damage due to the Lessee's improper or negligent operation. No alterations, modifications or additions to the hangar shall be made by Lessee without the prior written permission of Lessor.

5. USE OF PREMISES

The hangar hereby leased shall be used only for the storage of aircraft owned or leased by Lessee. No maintenance of the stored aircraft shall be conducted in the Hangar except such minor maintenance as would normally be performed by an aircraft owner without the benefit of an aircraft mechanic. Lessee further agrees that no commercial aviation activities shall be conducted at the Picayune Municipal Airport without the express written permission of the Lessor. Commercial Aviation activities include, but are not limited to aircraft rental, charter, aircraft leasing, flight instruction, aerial survey and aerial photography, etc. The storage of fuel or other flammable materials in the Hangar is strictly prohibited. The Lessee shall not engage in any illegal activity and shall abide by all Federal, State, and FAA regulations and the City of Picayune Airport Minimum Standards and Rules and Regulations.

6. INDEMNIFICATION

Lessee shall keep, protect and save harmless, Lessor from any loss, cost, claim, judgment or expense of any sort of nature, and from any liability to any person, on account of any injury, damage or death to any person, or property arising out of any use of the leased premises by Lessee, its agents, or any other party or person acting under the direction or control of Lessee.

7. INSPECTION

The Lessor may enter the leased Hangar at reasonable times to inspect the premises.

REGULAR MEETING DATED MARCH 4, 2003

8. SECURITY

Lessee agrees to abide by and cooperate with Lessor in the enforcement and implementation of all airport security regulations. Security of the Hangar shall be the responsibility of Lessee. Lessee agrees to provide Lessor with a key to any lock or locking device used to secure the Hangar. Lessor agrees that the key will be used only in case of emergency or for inspection of the premises.

9. UTILITIES

At its own expense, Lessee shall be responsible for the connection of electric services for the Hangar. Lessee shall pay as the same becomes due directly to the electricity provider. Failure to pay for such utilities will be considered a default under the terms of this lease. Lessee shall use light fixtures for its intended purpose only and shall not alter the existing electrical facilities. Lessee shall not operate any air conditioners, refrigerators, large heaters, or other similar appliances. Outlets, when available, may be used only for operation of drop lights, small hand tools, etc. No permitted electrical appliances or other electrical devices shall be connected into the outlet when the Lessee is not present.

Lessor will provide basic water and sewer services to the hangar.

10. HAZARDOUS SUBSTANCES

Lessee shall not cause or permit any Hazardous Substances to be brought upon, kept or used in, on or about the hangar by Lessee, its agents or invitees, and Lessee, by execution of this Lease, covenants, warrants and represents to Lessor that it will keep the lease premises free from any and all unlawful contamination with hazardous substances and that it will hold Lessor harmless from any loss or damage with respect thereto and that Lessee will be solely responsible for any and all costs and expenses incurred for remediation in the event the same is required. Violation of this provision shall mean immediate termination of this Lease, which said termination shall not relieve the Lessee from its liability hereunder.

11. SUBLEASE/ASSIGNMENT

Lessee shall not have the right to sublet the Hangar leased under this agreement, nor shall the Lessee have the right to assign this Lease without the express written consent of the Lessor. Storage of aircraft not belonging to or leased by the Lessee shall be construed as a sublease, and unless approved by the Lessor, shall be grounds for termination of this Lease.

12. DEFAULT

In the event Lessee shall default in the payment of any installment of rent or other sum herein specified and such default shall continue for ten (10) days after written notice thereof, or if Lessee shall default in the observance or performance of any other of the Lessee's covenants, agreements, or obligations hereunder and such default shall not be corrected within thirty (30) days after written notice thereof, then the Lessor shall have the right to take complete possession of the leased premises, to declare the term of this Lease ended, and remove any of the Lessee's personal effects, without prejudice to any remedies which might be otherwise used for arrears of rent or other default.

13. FORCE MAJEURE

In the event of a natural disaster or other unforeseen event including, but not limited to, flooding, major wind or storm damage or fire, Lessor may, at its option and with or without notice, terminate this Lease.

14. INSURANCE

Lessee agrees to be responsible for maintaining liability insurance in an amount not less than \$100,000.00 during the term of this Lease. Lessee shall deliver to Lessor an annual certificate demonstrating that insurance is paid and copies of the insurance policy issued by the insurance company. Lessor will be named as an insured and loss payee under the policy.

Lessee is solely responsible for maintaining insurance coverage on the contents of the Hangar.

REGULAR MEETING DATED MARCH 4, 2003

termination or default by Lessee. Either party may terminate this Agreement by giving thirty (30) days written notice to the other party of its intent to terminate this Agreement, regardless of breach or compliance of either party.

3. RENT

Lessee shall pay, as rent for the use of the described Hangar, the amount of \$100.00 per month, in advance on the first day of each month, and said rent shall be payable by mail to the Picayune Municipal Airport, 203 Goodyear Boulevard, Picayune, Mississippi 39466, or by personal delivery to the Picayune Municipal Airport office at 148 Runway Boulevard, Picayune, Mississippi. Rent may be changed from time to time by lessor upon thirty- (30) days written notice to Lessee.

4. REPAIR AND MAINTENANCE

Lessor shall be responsible for timely repairs, replacements and maintenance of the building structure, foundation, exterior walls, and roof. Lessee shall be responsible and liable for any damage to the hangar caused by Lessee's use of the hangar, including but not limited to, bent or broken interior walls, damage to floors due to fuel and oil spillage, door damage due to the Lessee's improper or negligent operation. No alterations, modifications or additions to the hangar shall be made by Lessee without the prior written permission of Lessor.

5. USE OF PREMISES

The hangar hereby leased shall be used only for the storage of aircraft owned or leased by Lessee. No maintenance of the stored aircraft shall be conducted in the Hangar except such minor maintenance as would normally be performed by an aircraft owner without the benefit of an aircraft mechanic. Lessee further agrees that no commercial aviation activities shall be conducted at the Picayune Municipal Airport without the express written permission of the Lessor. Commercial Aviation activities include, but are not limited to aircraft rental, charter, aircraft leasing, flight instruction, aerial survey and aerial photography, etc. The storage of fuel or other flammable materials in the Hangar is strictly prohibited. The Lessee shall not engage in any illegal activity and shall abide by all Federal, State, and FAA regulations and the City of Picayune Airport Minimum Standards and Rules and Regulations.

6. INDEMNIFICATION

Lessee shall keep, protect and save harmless, Lessor from any loss, cost, claim, judgment or expense of any sort of nature, and from any liability to any person, on account of any injury, damage or death to any person, or property arising out of any use of the leased premises by Lessee, its agents, or any other party or person acting under the direction or control of Lessee.

7. INSPECTION

The Lessor may enter the leased Hangar at reasonable times to inspect the premises.

8. SECURITY

Lessee agrees to abide by and cooperate with Lessor in the enforcement and implementation of all airport security regulations. Security of the Hangar shall be the responsibility of Lessee. Lessee agrees to provide Lessor with a key to any lock or locking device used to secure the Hangar. Lessor agrees that the key will be used only in case of emergency or for inspection of the premises.

9. UTILITIES

At its own expense, Lessee shall be responsible for the connection of electric services for the Hangar. Lessee shall pay as the same becomes due directly to the electricity provider. Failure to pay for such utilities will be considered a default under the terms of this lease. Lessee shall use light fixtures for its intended purpose only and shall not alter the existing electrical facilities. Lessee shall not operate any air conditioners, refrigerator, large heaters, or other similar appliances. Outlets, when available, may be used only for operation of drop lights, small hand tools, etc. No permitted electrical appliances or other electrical devices shall be connected into the outlet when the Lessee is not present.

Lessor will provide basic water and sewer services to the hangar.

REGULAR MEETING DATED MARCH 4, 2003**10. HAZARDOUS SUBSTANCES**

Lessee shall not cause or permit any Hazardous Substances to be brought upon, kept or used in, on or about the hangar by Lessee, its agents or invitees, and Lessee, by execution of this Lease, covenants, warrants and represents to Lessor that it will keep the lease premises free from any and all unlawful contamination with hazardous substances and that it will hold Lessor harmless from any loss or damage with respect thereto and that Lessee will be solely responsible for any and all costs and expenses incurred for remediation in the event the same is required. Violation of this provision shall mean immediate termination of this Lease, which said termination, shall not relieve the Lessee from its liability hereunder.

11. SUBLEASE/ASSIGNMENT

Lessee shall not have the right to sublet the Hangar leased under this agreement, nor shall the Lessee have the right to assign this Lease without the express written consent of the Lessor. Storage of aircraft not belonging to or leased by the Lessee shall be construed as a sublease, and unless approved by the Lessor, shall be grounds for termination of this Lease.

12. DEFAULT

In the event Lessee shall default in the payment of any installment of rent or other sum herein specified and such default shall continue for ten (10) days after written notice thereof, or if Lessee shall default in the observance or performance of any other of the Lessee's covenants, agreements, or obligations hereunder and such default shall not be corrected within thirty (30) days after written notice thereof, then the Lessor shall have the right to take complete possession of the Leased premises, to declare the term of this Lease ended, and remove any of the Lessee's personal effects, without prejudice to any remedies which might be otherwise used for arrears of rent or other default.

13. FORCE MAJEURE

In the event of a natural disaster or other unforeseen event including, but not limited to, flooding, major wind or storm damage or fire, Lessor may, at its option and with or without notice, terminate this Lease.

14. INSURANCE

Lessee agrees to be responsible for maintaining liability insurance in an amount not less than \$100,000.00 during the term of this Lease. Lessee shall deliver to Lessor an annual certificate demonstrating that insurance is paid and copies of the insurance policy issued by the insurance company. Lessor will be named as an insured and loss payee under the policy.

Lessee is solely responsible for maintaining insurance coverage on the contents of the Hangar.

15. SURRENDER OF PREMISES

Upon expiration of this Agreement for any reason, Lessee shall peacefully surrender and deliver possession of the leased premises to Lessor in as good condition and repair as at the inception of this Agreement, normal wear and tear excepted.

16. NOTICES

Should any notices be required to be given to the respective parties, the notice shall be given in writing by registered or certified mail at the following addresses or at such other addresses as may be substituted by subsequent notices to-wit:

As to Lessor:

Airport Manager
Picayune Municipal Airport
203 Goodyear Boulevard
Picayune, Mississippi 39466

As to Lessee:

Tyron Gill
P.O. Box 1566
Picayune, Mississippi 39466
(601) 798-9819

WITNESS the signatures of the parties hereto, this the _____ day of _____ 2003.

REGULAR MEETING DATED MARCH 4, 2003

LESSOR: City of Picayune

BY: _____

ATTEST:

Nicole Dagnall, City Clerk

LESSEE: _____

WITNESS:

_____**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER****HANGAR LEASE AGREEMENT**

This HANGAR LEASE AGREEMENT made and entered into this, the 4th day of March, 2003, by and between the City of Picayune, hereinafter referred to as "Lessor" and Jeff Varnado, hereinafter referred to as the "Lessee", WITNESSETH:

For and in consideration of the rents, covenants and agreements hereinafter-contained Lessor does hereby rent and lease unto Lessee the following:

1. PREMISES

Lessor does hereby lease and let to Lessee Hangar No. 1 located at the Picayune Municipal Airport, Picayune, Mississippi, together with reasonably necessary rights of access across Lessor's adjoining areas. Lessee has inspected the Hangar and accepts the Hangar in its present condition.

2. TERM

The term of this Agreement shall be month-to-month, with the term to begin on the 1st day of November 2002, and continue thereafter each month until either party gives notice of termination or default by Lessee. Either party may terminate this Agreement by giving thirty (30) days written notice to the other party of its intent to terminate this Agreement, regardless of breach or compliance of either party.

3. RENT

Lessee shall pay, as rent for the use of the described Hangar, the amount of \$100.00 per month, in advance on the first day of each month, and said rent shall be payable by mail to the Picayune Municipal Airport, 203 Goodyear Boulevard, Picayune, Mississippi 39466, or by personal delivery to the Picayune Municipal Airport office at 148 Runway Road, Picayune, Mississippi. Rent may be changed from time to time by Lessor upon thirty- (30) days written notice to Lessee.

4. REPAIR AND MAINTENANCE

Lessor shall be responsible for timely repairs, replacements and maintenance of the building structure, foundation, exterior walls, and roof. Lessee shall be responsible and liable for any damage to the hangar caused by Lessee's use of the hangar, including but not limited to, bent or broke interior walls, damage to floors due to fuel and oil spillage, door damage due to the Lessee's improper or negligent operation. No alterations, modifications or additions to the hangar shall be made by Lessee without the prior written permission of the Lessor.

5. USE OF PREMISES

The hangar hereby leased shall be used only for the storage of aircraft owned or leased by Lessee. No maintenance of the stored aircraft shall be conducted in the Hangar except such minor maintenance as would normally be performed by an aircraft owner without the benefit of an aircraft mechanic. Lessee further agrees that no commercial aviation activities shall be

REGULAR MEETING DATED MARCH 4, 2003

conducted at the Picayune Municipal Airport without the express written permission of the Lessor. Commercial Aviation activities include, but are not limited to aircraft rental, charter, aircraft leasing, flight instruction, aerial survey and aerial photography, etc. The storage of fuel or other flammable materials in the Hangar is strictly prohibited. The Lessee shall not engage in any illegal activity and shall abide by all Federal, State, and FAA regulations and the City of Picayune Airport Minimum Standards and Rules and Regulations.

6. INDEMNIFICATION

Lessee shall keep, protect and save harmless, Lessor from any loss, cost, claim, judgment or expense of any sort or nature, and from any liability to any person, on account of any injury, damage or death to any person, or property arising out of any use of the leased premises by Lessee, its agents, or any other party or person acting under the direction or control of Lessee.

7. INSPECTION

The Lessor may enter the leased Hangar at reasonable times to inspect the premises.

8. SECURITY

Lessee agrees to abide by and cooperate with Lessor in the enforcement and implementation of all airport security regulations. Security of the Hangar shall be the responsibility of Lessee. Lessee agrees to provide Lessor with a key to any lock or locking device used to secure the Hangar. Lessor agrees that the key will be used only in case of emergency or for inspection of the premises.

9. UTILITIES

At its own expense, Lessee shall be responsible for the connection of electric services for the Hangar. Lessee shall pay as the same becomes due directly to the electricity provider. Failure to pay for such utilities will be considered a default under the terms of this lease. Lessee shall use light fixtures for its intended purpose only and shall not alter the existing electrical facilities. Lessee shall not operate any air conditioners, refrigerators, large heaters, or other similar appliances. Outlets, when available, may be used only for operation of drop lights, small hand tool, etc. No permitted electrical appliances or other electrical devices shall be connected into the outlet when the Lessee is not present.

Lessor will provide basic water and sewer services to the hangar.

10. HAZARDOUS SUBSTANCES

Lessee shall not cause or permit any Hazardous Substances to be brought upon, kept or used in, on or about the hangar by Lessee, its agents or invitees, and Lessee, by execution of this Lease, covenants, warrants and represents to Lessor that it will keep the lease premises free from any and all unlawful contamination with hazardous substances and that it will hold Lessor harmless from any loss or damage with respect thereto and that Lessee will be solely responsible for any and all costs and expenses incurred for remediation in the event the same is required. Violation of this provision shall mean immediate termination of this Lease, which said termination, shall not relieve the Lessee from its liability hereunder.

11. SUBLEASE/ASSIGNMENT

Lessee shall not have the right to sublet the Hangar leased under this agreement, nor shall the Lessee have the right to assign this Lease without the express written consent of the Lessor. Storage of aircraft not belonging to or leased by the Lessee shall be construed as a sublease, and unless approved by the Lessor, shall be grounds for termination of this Lease.

12. DEFAULT

In the event Lessee shall default in the payment of any installment of rent or other sum herein specified an such default shall continue for ten (10) days after written notice thereof, or if Lessee shall default in the observance or performance of any other of the Lessee's covenants, agreements, or obligations hereunder and such default shall not be corrected within thirty (30) days after written notice thereof, then the Lessor shall have the right to take complete possession of the leased premises, to declare the term of this Lease ended, and remove any of the Lessee's personal effects, without prejudice to any remedies, which might be otherwise used for arrears of rent or other default.

REGULAR MEETING DATED MARCH 4, 2003

13. FORCE MAJEURE

In the event of a natural disaster or other unforeseen event including, but not limited to, flooding, major wind or storm damage or fire, Lessor may, at its option and with or without notice, terminate this Lease.

14. INSURANCE

Lessee agrees to be responsible for maintaining liability insurance in an amount not less than \$100,000.00 during the term of this lease. Lessee shall deliver to Lessor an annual certificate demonstrating that insurance is paid and copies of the insurance policy issued by the insurance company. Lessor will be named as an insured and loss payee under the policy.

Lessee is solely responsible for maintaining insurance coverage on the contents of the Hangar.

15. SURRENDER OF PREMISES

Upon expiration of this Agreement for any reason, Lessee shall peacefully surrender and deliver possession of the leased premises to Lessor in as good condition and repair as at the inception of this Agreement, normal wear and tear expected.

16. NOTICES

Should any notices be required to be given to the respective parties, the notice shall be given in writing by registered or certified mail at the following addresses or at such other addresses as may be substituted by subsequent notices to-wit:

As to Lessor: Airport Manager
Picayune Municipal Airport
203 Goodyear Boulevard
Picayune, Mississippi 39466

As to Lessee: Jeff Varnado
3305 Highway 11 North
Picayune, Mississippi 39466
(601) 798-5186

WITNESS the signatures of the parties hereto, this the _____ day of _____ 2003.

LESSOR: City of Picayune

BY: _____

ATTEST:

Nicole Dagnall, City Clerk

LESSEE: _____

WITNESS:

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER

HANGAR LEASE AGREEMENT

This HANGAR LEASE AGREEMENT made and entered into this, the 4th day of March 2003, by and between the City of Picayune, hereinafter referred to as "Lessor" and Lisenbea Enterprises, hereinafter referred to as the "Lessee", WITNESSETH:

For and in consideration of the rents, covenants and agreements hereinafter-contained Lessor does hereby rent and lease unto Lessee the following:

1. PREMISES

Lessor does hereby lease and let to Lessee Hangar No. 1 located at the Picayune Municipal Airport, Picayune, Mississippi, together with reasonably necessary rights of access across Lessor's adjoining areas. Lessee has inspected the Hangar and accepts the Hangar in its present condition.

2. TERM

The term of this Agreement shall be month-to-month, with the term to begin on the 1st day of November 2002, and continue thereafter each month until either party gives notices of termination or default by Lessee. Either party may terminate this Agreement by giving thirty (30) days written notice to the other party of its intent to terminate this Agreement, regardless of breach or compliance of either party.

3. RENT

Lessee shall pay, as rent for the use of the described Hangar, the amount of \$100.00 per month, in advance on the first day of each month, and said rent shall be payable by mail to the Picayune Municipal Airport, 203 Goodyear Boulevard, Picayune, Mississippi 39466, or by personal delivery to the Picayune Municipal Airport office at 148 Runway Road, Picayune, Mississippi. Rent may be changed from time to time by Lessor upon thirty- (30) days written notice to Lessee.

4. REPAIR AND MAINTENANCE

Lessor shall be responsible for timely repairs, replacements and maintenance of the building structure, foundation, exterior walls, and roof. Lessee shall be responsible and liable for any damage to the hangar caused by Lessee's use of the hangar, including but not limited to, bent or broken interior walls, damage to floors due to fuel and oil spillage, door damage due to the Lessee's improper or negligent operation. No alterations, modifications or additions to the hangar shall be made by Lessee without the prior written permission of Lessor.

5. USE OF PREMISES

The hangar hereby leased shall be used only for the storage of aircraft owned or leased by Lessee. No maintenance of the stored aircraft shall be conducted in the Hangar except such minor maintenance as would normally be performed by an aircraft owner without the benefit of an aircraft mechanic. Lessee further agrees that no commercial aviation activities shall be conducted at the Picayune Municipal Airport without the express written permission of the Lessor. Commercial Aviation activities include, but are not limited to aircraft rental, charter, aircraft leasing, flight instruction, aerial survey and aerial photography, etc. The storage of fuel or other flammable materials in the Hangar is strictly prohibited. The Lessee shall not engage in any illegal activity and shall abide by all Federal, State, and FAA regulations and the City of Picayune Airport Minimum Standards and Rules and Regulations.

6. INDEMNIFICATION

Lessee shall keep, protect and save harmless, Lessor from any loss, cost, claim, judgment or expense of any sort of nature, and from any liability to any person, on account of any injury, damage or death to any person, or property arising out of any use of the leased premises by Lessee, its agents, or any other party or person acting under the direction or control of Lessee.

7. INSPECTION

The Lessor may enter the leased Hangar at reasonable times to inspect the premises.

REGULAR MEETING DATED MARCH 4, 2003

8. SECURITY

Lessee agrees to abide by and cooperate with Lessor in the enforcement and implementation of all airport security regulations. Security of the Hangar shall be the responsibility of Lessee. Lessee agrees to provide Lessor with a key to any lock or locking device used to secure the Hangar. Lessor agrees that the key will be used only in case of emergency or for inspection of the premises.

9. UTILITIES

At its own expense, Lessee shall be responsible for the connection of electric services for the Hangar. Lessee shall pay as the same becomes due directly to the electricity provider. Failure to pay for such utilities will be considered a default under the terms of this lease. Lessee shall use light fixtures for its intended purpose only and shall not alter the existing electrical facilities. Lessee shall not operate any air conditioners, refrigerators, large heaters, or other similar appliances. Outlets, when available, may be used only for operation of drop lights, small hand tools, etc. No permitted electrical appliances or other electrical devices shall be connected into the outlet when the Lessee is not present.

Lessor will provide basic water and sewer services to the hangar.

10. HAZARDOUS SUBSTANCES

Lessee shall not cause or permit any Hazardous Substances to be brought upon, kept or used in, on or about the hangar by Lessee, its agents or invitees, and Lessee, by execution of this Lease, covenants, warrants and represents to Lessor that it will keep the lease premises free from any and all unlawful contamination with hazardous substances and that it will hold Lessor harmless from any loss or damage with respect thereto and that Lessee will be solely responsible for any and all costs and expenses incurred for remediation in the event the same is required. Violation of this provision shall mean immediate termination of this Lease, which said termination, shall not relieve the Lessee from its liability hereunder.

11. SUBLEASE/ASSIGNMENT

Lessee shall not have the right to sublet the Hangar leased under this agreement, nor shall the Lessee have the right to assign this Lease without the express written consent of the Lessor. Storage of aircraft not belonging to or leased by the Lessee shall be construed as a sublease, and unless approved by the Lessor, shall be grounds for termination of this Lease.

12. DEFAULT

In the event Lessee shall default in the payment of any installment of rent or other sum herein specified and such default shall continue for ten (10) days after written notice thereof, or if Lessee shall default in the observance of performance of any other of the Lessee's covenants, agreements, or obligations hereunder and such default shall not be corrected within thirty (30) days after written notice thereof, then the Lessor shall have the right to take complete possession of the leased premises, to declare the term of this Lease ended, and remove any of the Lessee's personal effects, without prejudice to any remedies which might be otherwise used for arrears of rent or other default.

13. FORCE MAJEURE

In the event of a natural disaster or other unforeseen event including, but not limited to, flooding, major wind or storm damage or fire, Lessor may, at its option and with or without notice, terminate this Lease.

14. INSURANCE

Lessee agrees to be responsible for maintaining liability insurance in an amount not less than \$100,000.00 during the term of this Lease. Lessee shall deliver to Lessor an annual certificate demonstrating that insurance is paid and copies of the insurance policy issued by the insurance company. Lessor will be named as an insured and loss payee under the policy.

Lessee is solely responsible for maintaining insurance coverage on the contents of the Hangar.

REGULAR MEETING DATED MARCH 4, 2003

15. SURRENDER OF PREMISES

Upon expiration of this Agreement for any reason, Lessee shall peacefully surrender and deliver possession of the leased premises to Lessor in as good condition and repair as at the inception of this Agreement, normal wear and tear excepted.

16. NOTICES

Should any notices be required to be given to the respective parties, the notice shall be given in writing by registered or certified mail at the following addresses or at such other addresses as may be substituted by subsequent notices to-wit:

As to Lessor: Airport Manager
Picayune Municipal Airport
203 Goodyear Boulevard
Picayune, Mississippi 39466

As to Lessee: Lisenbea Enterprises
P.O. Box 275
Picayune, Mississippi 39466
(601) 798-5720

WITNESS the signatures of the parties hereto, this the _____ day of _____ 2003.

LESSOR: City of Picayune

BY: _____
Greg Mitchell, Mayor

ATTEST:

Nicole Dagnall, City Clerk

LESSEE: _____

WITNESS:

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE TRAVEL

Motion was made by Council Member Bounds, seconded by Council Member Parker to authorize the Mayor, Council and City Manager to travel to Gulfport, MS to the Mississippi Municipal League Summer Conference June 29, 2003 through July 3, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and

REGULAR MEETING DATED MARCH 4, 2003

Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE THE MAYOR TO SIGN QUITCLAIM DEED

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize the Mayor to sign a quitclaim deed for 1999 taxes in the name of Sherry Marshall, parcel # 617-623-001-03-031-00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and
Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE THE MAYOR AND CITY COUNCIL TO SIGN A CONFIDENTIALITY AGREEMENT

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize the Mayor and City Council to sign the following Confidentiality Agreement with GEO Petroleum Energy Transmission, Ltd.:

CONFIDENTIALITY AGREEMENT

This Confidentiality Agreement (the "Agreement") made and entered into this the 4th day of March, 2003, by and between the City of Picayune, Mississippi, managing/governing body, referred to within as ("City") and GEO Petroleum Energy Transmission, Ltd., referred to within as ("GEO").

RECITALS

City has requested to review and inspect certain information including data, notes, analyses and other materials, whether oral or written (the "Proprietary Information"), to be made available by GEO concerning the local distribution system located near Picayune, Mississippi, (the "System"). GEO is willing to make available to the City or its representatives detailed information relating to the System for the City review for the sole purpose of evaluating the possible acquisition or asset transfer of shown System.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained it is agreed as follows:

1. Except as otherwise provided herein, all Proprietary Information, which has been submitted, heretofore or hereafter furnished by GEO has been designated, as Proprietary Information shall be deemed CONFIDENTIAL and PROPRIETARY Information. During the term of this Agreement, unless otherwise agreed in writing, City covenants not to (i) disclosed or reveal any Proprietary Information to any persons or entities other than those directors, officers, employees and other agents and representatives of said City who are actively and directly participating in the evaluation of the Proposed Transactions (the "Representatives"), which Representatives shall be caused by City to observe the terms and conditions set forth herein as though each Representative were bound hereby, or (ii) use the

REGULAR MEETING DATED MARCH 4, 2003

- proprietary information of any purpose other than its connection with evaluation of the Proposed Transaction, except as required by law.
2. The term Proprietary Information does not include information, which (i) becomes generally available to the public other than as a result of a disclosure by the City or its representatives, or (ii) was available on the non-confidential basis prior to its disclosure by GEO. In the event the City determines that it does not wish to enter into the Proposed Transaction, the City will promptly so advise GEO, shall keep a record of the location of the Proprietary Information and, except for that portion of the Proprietary Information which consist of analyses, compilations, studies of other documents prepared by City or its Representatives, will return the Proprietary Information and all copies thereof to GEO immediately upon GEO request.
 3. Although the City understands and acknowledges that GEO has included, or will include, in the Proprietary Information, certain information which GEO believes to be relevant for the purpose of investigation and evaluation of the System, GEO MAKES NO REPRESENTATION OR WARRANTY AS TO THE ACCURACY OF COMPLETENESS OF THE PROPRIETARY INFORMATION. Representations and warranties pertaining thereto, if any, will be contained only in the formal documents that may be prepared to affect the Proposed Transaction.
 4. Without the prior written consent of GEO, the City will NOT, and will direct its Representatives NOT to, disclose to any person other than its Representatives, (i) the fact that any portion of the Proprietary Information has been made available or has been inspected and (ii) the fact that discussions or negotiations are taking place concerning a possible transaction involving the System, including the status thereof. In the event the City or its Representatives are requested or required (by oral, questions, interrogatories, requests for information or documents, subpoena, civil investigative demand or similar process from a governmental authority, agency or tribunal) to disclose any Proprietary Information, it is agreed that the City will provide GEO with prompt notice of such request in order that GEO may seek an appropriate protective order and/or waive compliance with the provisions of this AGREEMENT. Further it is agreed that if, failing the entry of a protective order or the receipt of a waiver hereunder, the City or its Representatives are, in the opinion of counsel, compelled to disclose Proprietary Information under pain of liability for contempt or other censure or penalty, such information may be disclosed to the governmental authority, agency or tribunal without liability hereunder, provided, however, that City agrees to exercise its best efforts to obtain other reliable assurance that confidential treatment will be accorded to any such Proprietary Information which is disclosed in these proceedings.
 5. It is understood and agreed that no failure or delay by either party in exercising any right, power or privilege hereunder shall operate as a waiver thereof, nor shall any single or partial exercise thereof preclude any other or further exercise thereof or the exercise of any right, power or privilege hereunder.
 6. Except as otherwise stated herein, the delivery of the Proprietary Information regarding the Proposed Transaction shall imply a contractual obligation, for both parties, including the CITY obligation to evaluate the information received for the purposes herein stated in the manner the CITY deems best.
 7. Notwithstanding any other provisions of this Agreement to the contrary, all terms conditions, undertaking and prohibitions contained in this Agreement shall terminate upon the earlier of a) consummation of the Proposed Transaction, or b) one (1) year from the date first hereinabove written.
 8. Due to the competitive valve and confidential nature of the Proprietary Information, any disclosure thereof made or permitted in violation of the Agreement by the City or its Representatives will seriously and adversely affect the interests of GEO and damage could result to GEO if the information contained therein is disclosed to any third party, or used to gain competitive advantage. The City recognizes and agrees that remedies at law may be inadequate to protect against breach of this Agreement by the City or its Representatives of their duties and obligations expressed herein, which remedies shall not be deemed to be exclusively, but shall be in addition to those provided by common law and/or federal statutes.
 9. This AGREEMENT shall be binding upon insure to the benefit of the parties hereto, their successors and assigns. This Agreement constitutes the entire

REGULAR MEETING DATED MARCH 4, 2003

agreement between the parties hereto, superseding all prior agreements between said parties, whether written or oral, pertinent to the subject matter hereof, and may not be amended, modified, waived or otherwise altered except by mutual agreement and no change, modifications, waiver or amendment of any provision will be effective except by written instrument executed by the parties hereto.

- 10. This Agreement shall be enforceable in accordance with the terms and provisions contained herein and in accordance with the purposes expressed herein. Wherever possible, each provision of this Agreement shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision of this agreement or application thereof to any party or circumstances shall be prohibited by or modified under such law, or determined by any court of competent jurisdiction to be invalid and unenforceable to any extent then the remainder of the Agreement, or the application of said provision hereof shall be valid and shall be enforced to the fullest extent permitted by law.
- 11. THIS AGREEMENT SHALL BE CONSTRUED IN ACCORDANCE WITH A GOVERNED BY THE LAWS OF THE STATE OF MISSISSIPPI WITHOUT REGARD TO PRINCIPLES OF CONFLICTS OF LAW.

IN WITNESS WHEREOF, the parties hereto have executed this Confidentiality Agreement as of the date first shown above. Signatures below will show understanding and full agreement to all here within.

City of Picayune, Mississippi (39466)
City Government (Purchasing Review of Proposed Transaction)

Mayor

Date

City Manager

Date

City Council Member

Date

Corporate Owner:
GEO Petroleum Energy Transmission, Ltd.

Sammy C. German -- President/Owner

Date

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

REGULAR MEETING DATED MARCH 4, 2003

The motion was declared carried.

CONSIDER REQUEST TO APPROVE THE DOCKET

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to approve the docket for the month of February 2003 in the amount of \$616,690.59. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

ORDER TO RECESS

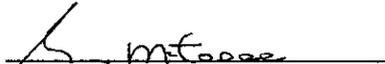
Motion was made by Council Member Bounds, seconded by Council Member Roberson, to recess until Monday, March 10, 2003 at 6:00 p.m. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried



Greg Mitchell, Mayor

ATTEST:



Nicole Dagnall, City Clerk

March 10, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Monday, March 10, 2003 at 6:00 p.m. in recessed session with the following officials present: Mayor Greg Mitchell, Council Members Donald Parker, Leavern Guy, Sr. and Jerry Bounds, City Manager J.P. Burns, Jr., Deputy City Clerk Brenda Ford, City Attorney Nathan Farmer, Chief Keith Brown and Chief Jim Luke.

It Being Determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Rev. Reggie Bridges of Pine Grove Baptist Church, followed by the Pledge of Allegiance led by Deputy City Clerk Brenda Ford.

IN THE MATTER OF PICAYUNE INDUSTRIES

Becky Johnson, Production Manager of Picayune Industries presented the following to the Mayor and Council:

Picayune Industries is a Supported Employment Division of South Mississippi Regional Center, which strives to provide meaningful employment opportunities for individuals with mental retardation and other developmental disabilities in the Pearl River County area.

In March, we will begin a new endeavor to recycle newspaper in the City of Picayune. We are aware that in the past our city and county leaders have been unable to provide this service, because it would have been very costly and not economically viable.

We have teamed up with Southeast Recycling to purchase our recycled papers and we will be asking the entire City of Picayune to participate in this project.

We have also enlisted the help and support of the Mississippi Department of Environmental Quality, through Mr. Larry Estes, who will be assisting us in initiating this endeavor. We will have a City wide meeting, at the Magnolia Columns on Tuesday, March 11, 2003 at 6:00 p.m. At this meeting, we will discuss our plans for this project and address ideas and ways for all community members to participate.

We would appreciate the support of our city council members in our effort to begin this tremendous project.

We believe that this project will not only benefit our city and county, but will certainly provide job opportunities to the individuals that we serve at Picayune Industries.

No action was taken.

CONSIDER REQUEST TO AUTHORIZE THE SALE OF WEAPON

Motion was made by Council Member Guy, seconded by Council Member Parker, to authorize the sale of one Glock, Model #21, serial #BFH36US to Chief Brenda Smith for \$1.00 according to Mississippi Code Annotated Section 45-9-131 upon her retirement. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy and Bounds

VOTING NAY: None

RECESSED MEETING DATED MARCH 10, 2003

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

PUBLIC HEARING ON PROPERTY CLEANUP FOR 704 EIGHTH STREET

A public hearing on property cleanup was held for property located at 704 Eighth Street and owned by Ms. Alberta McWilliams . It has been reported that the cleanup had not been done and that the condition of the property constitutes a menace to the public health and safety of the area. Motion was made by Council Member Guy, seconded by Council Member Bounds, to authorize the City to have the property cleaned and the cost charged against the property. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

PUBLIC HEARING ON PROPERTY CLEANUP FOR 816 FIFTH STREET

A public hearing on property cleanup was held for property located at 816 Fifth Street and owned by Mr. Jackie Fred Bogan. It has been reported that the cleanup had not been done and that the condition of the property constitutes a menace to the public health and safety of the area. Motion was made by Council Member Parker, seconded by Council Member Guy, to authorize the City to have the property cleaned and the cost charged against the property. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

PUBLIC HEARING ON PROPERTY CLEANUP FOR ROSIN ROAD CLOSE TO 330 ROSIN ROAD

A public hearing on property cleanup was held for property located at Rosin Road close to 330 Rosin Road owned by Mrs. Louise Roberts. It has been reported that the cleanup had not been done and that the condition of the property constitutes a menace to the public health and safety of the area. Motion was made by Council Member Guy, seconded by Council Member Parker, to authorize the City to have the property cleaned and the cost charged against the property. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

RECESSED MEETING DATED MARCH 10, 2003PUBLIC HEARING ON PROPERTY CLEANUP FOR 921 SIXTH AVENUE

A public hearing on property cleanup for property located at 921 Sixth Avenue was scheduled for this date. It has been reported that the property in question has been cleaned. No action was taken.

PUBLIC HEARING ON PROPERTY CLEANUP FOR 31.3 ACRES ON PALESTINE ROAD

A public hearing on property cleanup for 31.3 acres on Palestine Road was scheduled for this date. Motion was made by Council Member Bounds, seconded by Council Member Guy, to postpone public hearing until more information is received regarding ownership. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

CONSIDER REQUEST TO ASSESS A LIEN FOR THE COST OF CLEANING AND DEMOLITION AT 1115 ROSA STREET

Motion was made by Council Member Bounds, seconded by Council Member Guy, to approve the following Resolution assessing a lien for the cost of cleaning and demolition at 1115 Rosa Street:

**BEFORE THE MAYOR AND COUNCIL OF THE CITY OF PICAYUNE
PEARL RIVER COUNTY, MISSISSIPPI**

**RESOLUTION DETERMINING COST OF DEMOLITION AND
REMOVAL OF BUILDING**

WHEREAS, at a public hearing held on the 17th day of April, 2001, and after notice given to the property owner as required by law, the Mayor and Council determined that the building on the property of Hazel Johnson, et al located at 1115 Rosa Street being legally described as:

Section 617-515-003-04-003-10
Block 7, Lots 3 & 4, Rosa Park Addition to the City of Picayune,
As per official map or plat thereof on file in the
Office of the Chancery Clerk of Pearl River County, Mississippi,

WHEREAS, after determining that all of the requirements of said statute to be performed by the City of Picayune were met and that the owner would not or did not repair or remove said buildings, the building official did then proceed to have the buildings demolished and removed as hereinafter specified.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that the actual cost of such demolition of said property is adjudicated to be as follows, to-wit:

- | | | |
|----|---|-------------|
| 1. | Contract for demolition and removal of debris | \$ 1,450.00 |
| 2. | Processing Fee | \$ 25.00 |

BE IT FURTHER RESOLVED that the actual cost of said demolition and removal as aforesaid be assessed against the hereinabove described real property and that the City of Picayune, Mississippi, shall have a lien against the hereinabove described real property in the amount of \$1,475.00 and that by virtue of the provisions of Section 43-35-105(e) this lien shall

RECESSED MEETING DATED MARCH 10, 2003

be filed and enrolled in the Office of the Circuit Clerk of Pearl River County, Mississippi, as other judgments are recorded.

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

CONSIDER REQUEST TO ASSESS A LIEN FOR THE COST OF CLEANING AND DEMOLITION AT 1105 ROSA STREET

Motion was made by Council Member Bounds, seconded by Council Member Guy, to approve the following Resolution assessing a lien for the cost of cleaning and demolition at 1105 Rosa Street:

**BEFORE THE MAYOR AND COUNCI OF THE CITY OF PICAYUNE
PEARL RIVER COUNTY, MISSISSIPPI**

**RESOLUTION DETERMINING COST OF THE DEMOLITION AND
REMOVAL OF BUILDING**

WHEREAS, at a public hearing held on the 19th day of June, 2001, and after notice given to the property owner as required by law, the Mayor and Council determined that the building on the property of Alice Wilkes, et al located at 1105 Rosa Street being legally described as:

Section 617-515-003-04-003-13
Block D, Lot 5, Rosa Park Addition to the City of Picayune,
As per official map or plat thereof on file in the
Office of the Chancery Clerk of Pearl River County, Mississippi,

WHEREAS, after determining that all of the requirements of said statute to be performed by the City of Picayune were met and that the owner would not or did not repair or remove said buildings, the building official did then proceed to have the buildings demolished and removed as hereinafter specified.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that the actual cost of such demolition of said property is adjudicated to be as follows, to-wit:

- | | | |
|----|---|-------------|
| 1. | Contract for demolition and removal of debris | \$ 1,450.00 |
| 2. | Processing Fee | \$ 25.00 |

BE IT FURTHER RESOLVED that the actual cost of said demolition and removal as aforesaid be assessed against the hereinabove described real property and that the City of Picayune, Mississippi, shall have a lien against the hereinabove described real property in the amount of \$ 1,475.00 and that by virtue of the provisions of Section 43-35-105(e) this lien shall be filed and enrolled in the Office of the Circuit Clerk of Pearl River County, Mississippi, as other judgments are recorded.

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

RECESSED MEETING DATED MARCH 10, 2003

The motion was declared carried.

CONSIDER REQUEST TO PURCHASE VEHICLES

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve the purchase of the following vehicles from either state contract or local vendor:

Fire Department 001-161-740

1- Ford F-250 pick-up, crew cab	\$ 18,834.00 (State contract)
1 - Chevy Blazer, 2 door	\$ 16,361.00 (Hopkins Auto World)

Meter Readers 405-691-740

1 ½ ton GMC pick-up, long wheel base	\$ 14,243.94 (Hopkins Auto World)
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Treatment Plant 405-673-740

1 ½ ton Ford pick-up, extended cab	\$ 15,942.00 (State contract)
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Grounds and Beautification 001-203-740

1 Ford F-250 pick-up, crew cab	\$ 18,834.00 (State contract)
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The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Members Roberson and Watts

The motion was declared carried.

MINUTES OF THE PLANNING COMMISSION DATED FEBRUARY 11, 2003

Motion was made by Council Member Guy, seconded by Council Member Bounds, to accept the minutes of the Planning Commission dated February 11, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

MINUTES OF THE PLANNING COMMISSION DATED FEBRUARY 25, 2003

Motion was made by Council Member Bounds, seconded by Council Member Guy, to acknowledge receipt of the Planning Commission minutes dated February 25, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy and Bounds

VOTING NAY: None

RECESSED MEETING DATED MARCH 10, 2003

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

Mr. Bill Stevens who lives at 1710 Provost Circle voiced his complaints regarding alleged irregularities at the February 25, 2003 Planning Commission meeting. Mr. Stevens was informed that the proper forum for this complaint was to go back to the Planning Commission with his complaint. No official action was taken.

CONSIDER REQUEST TO PLACE MOBILE HOME IN R-3 ZONE

Motion was made by Council Member Guy, seconded by Council Member Bounds, to send back to the Planning Commission the request for the placement of a mobile home at 311 Jarrell Street for Mrs. Meril Coleman. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

CONSIDER REQUEST FOR RE-PLATTING OF LOTS

Motion was made by Council Member Guy, seconded by Council Member Parker, to send back to the Planning Commission the request to re-plot lots 8-10, Block 3, S.B. Whitfield Addition. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

CONSIDER AMENDED CHANGE ORDER #5 FOR KANDUIT CONSTRUCTION FOR THE WATER, SANITARY SEWER, AND GAS IMPROVEMENTS PROJECT

Motion was made by Council Member Bounds, seconded by Council Member Parker, to amend change order #5 for Kanduit Construction for the Water, Sanitary Sewer, and Gas Improvements Project at the Picayune Municipal Airport. The amendment was an addition mistake. The correct amount of the contract after the change order should be \$767,793.04. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

RECESSED MEETING DATED MARCH 10, 2003CONSIDER REQUEST TO AMEND CHANGE ORDER #6 FOR KANDUIT CONSTRUCTION FOR WATER, SANITARY SEWER, AND GAS IMPROVEMENTS

Motion was made by Council Member Parker, seconded by Council Member Bounds, to amend change order #6 for Kanduit Construction for Water, Sanitary Sewer, and Gas Improvements at the Picayune Municipal Airport. The amendment was a typographical error in the change order amount. The amount should have been \$37,546.42. This does not change the final amount of contract, which is \$805,339.46. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE THE POLICE DEPARTMENT TO APPLY FOR A SAFE NEIGHBORHOOD GRANT FROM WALMART

Motion was made by Council Member Guy, seconded by Council Member Bounds, to authorize the Police Department to apply for a Safe Neighborhood Grant from Wal-Mart. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

CONSIDER REQUEST TO APPROVE CHANGE ORDER #1 FOR PROFESSIONAL CONSTRUCTION SERVICES, INC.

Motion was made by Council Member Parker, seconded by Council Member Bounds, to approve change order # 1 for Professional Construction Services, Inc. in the amount of \$2,336.00 for the City's Water Well Rehabilitation Project and authorize the Mayor to sign same. This increases the contract amount to \$207,019.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

At this time Council Member Roberson entered meeting.

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Guy, seconded by Council Member Roberson, to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

RECESSED MEETING DATED MARCH 10, 2003

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Roberson, to enter executive session to discuss a personnel matter in the Police Department and a contractual matter at the Picayune Municipal Airport. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss a personnel matter in the Police Department and a contractual matter at the Picayune Municipal Airport.

At this time Council Member Roberson left meeting.

ORDER TO RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Guy, seconded by Council Member Bounds, and unanimously carried, the mayor reopened the meeting. The Mayor stated that while in executive session the Council discussed a personnel matter in the Police Department and a contractual matter at the Picayune Municipal Airport and took no action.

ORDER TO ADJOURN

Motion was made by Council Member Guy, seconded by Council Member Bounds to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy and Bounds

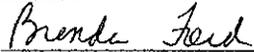
VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.


Greg Mitchell, Mayor

ATTEST:


Brenda Ford, Deputy City Clerk

March 18, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, March 18, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Leavern Guy, Sr., and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Nicole Dagnali, City Attorney Nathan Farmer, Chief Jim Luke and Chief Keith Brown.

It Being Determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Father Michael Snyder of St. Charles Borromeo Catholic Church, followed by the Pledge of Allegiance led by Council Member Roberson.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Guy, to approve the minutes of the Mayor and City Council dated March 4, 2003 and March 10, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY BUDGET REPORTS

Motion was made by Council Member Bounds, seconded by Council Member Guy, to acknowledge receipt of the Monthly Budget Reports for the month of February 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PUBLIC RECORD REQUESTS REPORT

Motion was made by Council Member Bounds, seconded by Council Member Guy, to acknowledge receipt of the Monthly Public Record Requests Report for the month of February 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

REGULAR MEETING DATED MARCH 18, 2003

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Guy, to approve the issuance of the following manual checks:

Lucian Roberson	General	\$ 297.00
Centerpoint Energy	Utility	\$ 24,444.00
Gulfsouth Pipeline	Utility	\$ 13,463.90
Utility Management Corp.	Utility	\$ 958.40

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF PRIVILEGE LICENSE REPORTS

Motion was made by Council Member Bounds, seconded by Council Member Guy, to acknowledge receipt of the Privilege License Reports for the months of January and February 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MINUTES FROM PARTNERS FOR PEARL RIVER COUNTY

Motion was made by Council Member Bounds, seconded by Council Member Guy, to acknowledge receipt of the Partners for Pearl River County minutes dated January 27, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

REGULAR MEETING DATED MARCH 18, 2003CONSIDER REQUEST TO ADVERTISE THE RESOURCES OF THE CITY

Motion was made by Council Member Bounds, seconded by Council Member Guy to advertise the resources of the city by purchasing a \$100.00 ad in the Picayune Diamond Club Program and issue a manual check. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO VOID 2002 TAX SALE

Motion was made by Council Member Bounds, seconded by Council Member Guy, to void 2002 tax sale on parcel 518-623-000-00-001-47 in the name of Kenneth Hebert due to bankruptcy. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO VOID 1992 TAX SALE

Motion was made by Council Member Bounds, seconded by Council Member Guy, to void 1992 tax sale on parcel 517-828-000-00-073-00 in the name of Willie Taylor due to erroneous assessment per David Earl Johnson. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE THE MAYOR TO SIGN AGREEMENT WITH GULF SOUTH PIPELINE COMPANY

Motion was made by Council Member Bounds, seconded by Council Member Guy, to authorize the Mayor to sign the No-Notice-Small Customer Option Agreement with Gulf South Pipeline Company. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

REGULAR MEETING DATED MARCH 18, 2003IN THE MATTER OF RESOLUTION COMMENDING BRENDA SMITH

Council Member Bounds read the following Resolution commending Brenda Smith for her dedicated service to the City of Picayune:

RESOLUTION OF APPRECIATION

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE

WHEREAS, the success of any organization depends upon the service provided by its employees and,

WHEREAS, Municipal Employees must be versatile, dependable and dedicated and,

WHEREAS, Brenda Smith has been an outstanding employee since she began with the city in February of 1973 and,

WHEREAS, Brenda Smith has helped the City of Picayune Police Department grow into a modern operation providing police services to our growing community,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Picayune that Brenda Smith be publicly thanked for her thirty years of service to her city and leadership of her employees.

ADOPTED this the 18th day of March 2003.

Greg Mitchell, Mayor

Lucian Roberson, Council Member

Donald Parker, Council Member

Kathy A. Watts, Council Member

Leavern Guy, Sr., Council Member

Jerry Bounds, Council Member

No official action was taken.

CONSIDER ADOPTION OF PICAYUNE RECREATION ADVISORY COMMISSION BY-LAWS

Motion was made by Council Member Guy, seconded by Council Member Parker to adopt the following by-laws for the Picayune Recreation Advisory Commission:

REGULAR MEETING DATED MARCH 18, 2003

**BY-LAWS GOVERNING
PICAYUNE RECREATION ADVISORY COMMISSION**

ARTICLE I.

(a) **NAME**

There is hereby created a Parks and Recreation Commission to be known as the Picayune Recreation Advisory Commission.

ARTICLE II.

(a) **PURPOSE**

The Recreation Advisory Commission shall serve as the advisory body for the Parks and Recreations Department and the City of Picayune. The Commission shall suggest policies to the Department, the City Manager and the City Council, within its powers and responsibilities as stated in these by-laws. The Commission shall consult with and advise the Department, the City Manager and the City Council in matters affecting recreation policies, programs, finances and its long-range projected program for recreation.

(b) **POWERS AND DUTIES.**

The Recreation Advisory Commission shall assume duties for recreation purposes, as follows:

- 1. Make recommendations
 - a. for the establishment of a system of supervised recreation for the parks;
 - b. may suggest improvements for the land and for the construction and for the equipping and staffing of such buildings and parks;
 - c. advise in the construction, equipping, operation, and maintenance of parks, playgrounds, recreation centers and all buildings and structures necessary or useful to recreation department functions.

ARTICLE III

(a) **APPOINTMENT.**

There shall be nine members of the Recreation Advisory Commission. The membership shall consist of six resident members appointed by the Mayor and Council. Three members shall be representatives from the Picayune Youth Athletic Association and the Picayune Amateur Softball Association and Picayune Youth Basketball Association.

(b) **Ex-officio Member.**

The Mayor and City Council shall appoint two members of the council to serve as ex officio members. These members will not vote on items coming before the Recreation Advisory Commission.

(c) **Length of Appointment.**

Each voting member shall be appointed for a 3-year term. Initial appointments shall be arranged so that three (3) members shall serve 3-year terms, three (3) members shall serve 2-year terms and three (3) members shall serve 1-year term. The terms will expire on June 30, each year, except for the representatives from the City Council who will serve concurrent with his/her term of office. No member shall be allowed to serve more than two consecutive terms.

REGULAR MEETING DATED MARCH 18, 2003(d) *Vacancies.*

Whenever a vacancy occurs on the Recreation Advisory Commission by resignation, death or otherwise, it shall be filled without undue delay by the City Council. The appointee shall serve for the duration of the unexpired term.

(e) *Removal of Members.*

Any one or more of the members of the Recreation Advisory Commission may be removed with or without cause, at any time, through a request of the Recreation Advisory Commission to the City Council or directly by the City Council.

ARTICLE IV.MEETING ATTENDANCE.(a) *Meetings*

a. Regular meetings of the Recreation Advisory Commission shall be held at _____ p.m. on the second _____ of each month and shall be held in the office of Friendship Park, or some other designated place.

b. Newspaper (the Picayune Item) must be notified of monthly meetings 48 hours in advance.

c. Recreation Advisory Commission members must be notified of meetings 24 hours in advance.

d. The guidelines published in the Mississippi Public Records Act and the Mississippi Open Meetings Act must be followed.

(b) *Special Meetings.*

Special meetings may be called by the Chairperson or upon written request from a majority of the body.

(c) *Quorum*

A majority of the members constitute a quorum.

(d) *Order of Business*

The order of business at regular meetings shall be as follows:

Reading of minutes of previous meeting
Petitions and Communications
Reports of President
Special Reports
Old Business
New Business
Executive Session (as necessary)

(e) *Absence*

The absence of any member from three consecutive regular meetings without leave except when such absence is made necessary by sickness or similar causes, rules as emergency in nature will declare vacant the seat of such member, in which event the vacancy this created shall be filled by the City Council.

ARTICLE V.OFFICERS

(a) *Officers.* The election of officers for the ensuing year, a Chairperson, Vice Chairperson, and a Secretary, shall take place at the regular meeting in July of each year. A

REGULAR MEETING DATED MARCH 18, 2003

nominating committee of these members shall be appointed by the Chairperson, at the June meeting (or before) to bring in to the July meeting, nominee for these offices.

(b) *Term of Office.* The new officers shall take office at the regular August meeting each year.

ARTICLE VI.DUTIES(a) Chair Person/Vice Chairperson

Oversees all meetings, takes control of agenda at all meetings. Receives and reviews minutes of meetings, addresses unfinished business, conducts roundtable discussions with each sport group as necessary, addresses new business and receives citizens concerns as appropriate. Receives and files correspondence, reading of and approving news articles, letters, invoices, etc. Keeps order at all meetings and recognizes members of the Recreation Advisory Commission or the public who may wish to speak. Determines the order of speaking when two or more members of the Recreation Advisory Commission request recognition at the same time. Votes on all issues.

(b) Commissioners

Attends all meetings of the Parks and Recreation Commission
 Votes on issues coming before the Commission
 Oversees policies for each sport activity, assists in preparation of and votes on the Commission budget
 Sets guidelines for each sponsoring sporting activity

(c) Secretary

Attend all meetings and record minutes of the meetings
 Distribute copies of the minutes of previous meetings to members prior to the next meeting
 Prepare and distribute agenda before each meeting
 Maintain all appropriate files, mailing lists, records, and prepare all correspondence.
 Any other clerical type duties as required.

ARTICLE VIICOMMITTEES(a) *Committee Appointments*

The Chairperson at the regular February meeting of each year shall appoint standing committee. The Chairperson at any regular meeting shall fill vacancies on the standing committee.

ARTICLE VIIIANNUAL REPORTS

The Secretary shall submit preliminary annual reports, of the program and of finances at their regular meeting in July of each year. The final annual report will be submitted no later than the September meeting.

ARTICLE IXSPECIAL COMMITTEES

Special committees may be appointed for such purposes as deemed necessary.

REGULAR MEETING DATED MARCH 18, 2003ARTICLE XAMENDMENTS

The Commissioners shall have the power, subject to the approval of the Mayor and Council of the City of Picayune, to adopt rules, regulations and by-laws for the property conduct of their duties, all of which shall be submitted for approval to the Mayor and Council prior to being adopted by the Commission. In the absence of by-laws, Roberts Rules of Order shall apply.

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER ACCEPTANCE OF THE PLANNING COMMISSION MINUTES

Motion was made by Council Member Bounds, seconded by Council Guy, to accept the minutes of the Planning Commission dated February 25, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER ACKNOWLEDGING RECEIPT OF PLANNING COMMISSION MINUTES

Motion was made by Council Member Guy, seconded by Council Member Bounds, to acknowledge receipt of the Planning Commission minutes dated March 11, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

IN THE MATTER OF REQUEST FOR REZONING OF PROPERTY LOCATED ON HIGHWAY 43 NORTH AND WESTSIDE OF ORLEANS BOULEVARD FROM R-1 TO OZ

Zoning Administrator Johnny Lou Ingram read to the Mayor and Council a letter from Dr. Ahmad Haidar withdrawing his request for rezoning. Motion was made by Council Member Guy to table request from Dr. Haidar to withdraw his request. Motion died for lack of a second. At this time Council Member Guy made a motion to deny request from Dr. Haidar and motion died for lack of a second.

REGULAR MEETING DATED MARCH 18, 2003

Motion was made by Council Member Roberson, seconded by Council Member Parker to accept Dr. Haidar's request to withdraw rezoning request. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker and Bounds

VOTING NAY: Council Member Guy

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST FOR SIGN VARIANCE

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to follow the recommendation of the Planning Commission to approve a 6' sign variance for Hancock Bank located at 2400 Highway 11 North. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER VOIDING CONTRACT BETWEEN THE CITY OF PICAYUNE AND HARTMAN ENGINEERING, INC.

Motion was made by Council Member Bounds, seconded by Council Member Guy to void the contract by and between the City of Picayune and Hartman Engineering, Inc. for engineering services relative to the city's water and wastewater infrastructure funded by the Corps of Engineers approved at the April 2, 2002 meeting and recorded in Minute Book 30 page 61 because the contract is not in compliance with the Corp's signed Project Cooperation Agreement. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER AWARDING CONTRACT TO HARTMAN ENGINEERING FOR ENGINEERING SERVICES

Motion was made by Council Member Parker, seconded by Council Member Guy, to award and authorize the Mayor to sign the following contract with Hartman Engineering for engineering services for the city's water and wastewater infrastructure funding by the Corp of Engineers. This new contract is in compliance with the Corp's signed Project Cooperation Agreement:

REGULAR MEETING DATED MARCH 18, 2003

**AGREEMENT TO FURNISH PROFESSIONAL
ENGINEERING SERVICES BY AND BETWEEN
THE CITY OF PICAYUNE, MISSISSIPPI (OWNER) AND
HARTMAN ENGINEERING, INC. (ENGINEER)**

As provided in this Agreement, ENGINEER will provide professional services relative to the City of Picayune Water and Wastewater Infrastructure Improvement as presented in the Project Cooperative Agreement (PCA) dated February 3, 2003, a copy of which is attached to this contract as attachment A.

SECTION 1. THE PROJECT

The OWNER hereby contracts with the ENGINEER to perform all necessary professional services in connection with the Project defined as follows:

Strategic planning and engineering design services related to Sewer Infiltration and Inflow Management Systems to consist of three tasks as described below. Tasks and scope of services will be as presented in the United States Corps of Engineers' (USACE) Work Plan submitted by the City for FY2002 and will be modified to include additional funding at such time as it becomes available.

SECTION 2. SERVICES

The Engineer will implement the following tasks through FY2002 funding. It is anticipated that future monies from the USACE will be used to implement additional parts of the following tasks, in addition to other tasks, which will be defined in future, work plans. This contract is to be modified by written amendment.

The City of Picayune, through the FY2002 funding of \$215,000 will implement Task 1 through Task 3 as follows.

Task 1 Feasibility study

The Engineer will with the aid of the results of Task 2, Perform Pressure System Collection Modeling to Prepare Corrective Action Plan, evaluate alternatives and identify the most feasible solutions for replacing or upgrading the Pump Stations. A probable opinion of estimated construction cost will be estimated for those solutions, which are considered feasible. The benefits derived from the proposed improvements will be estimated and the results will be presented in a report that will include a Cost/Benefit analysis for the USACE. Pump stations to be studied are as follows:

Station No. 2-329 Morris Street
Station No. 24-1398 East Canal Street
Station No. 25-309A Country Club Drive
Station No. 31-100-B Williamsburg Road
Station No. 35-3903 Hwy 11 North

A recommendation will be made as to which pump stations should be rehabbed to stay within the \$520,000 construction budget, if not all of them can be upgraded.

Task 2 Perform Pressure System Collection Modeling to Prepare Corrective Action Plan**a. Facilities Survey**

The ENGINEER will provide x, y and z coordinate information for each manhole structure immediately upstream of the pressure system that is associated with pipe diameters of 4 inches and larger. The ENGINEER will use GPS technology where practical to collect the information. Where impractical, conventional surveying techniques shall be used. The survey information shall meet the following parameters; horizontal geometry of the x, y coordinates to within more or less 2.00 feet and vertical geometry of the z coordinates to within more or less 0.1 feet. The coordinate information shall be referenced to the local datum used by the City of Picayune.

REGULAR MEETING DATED MARCH 18, 2003

b. Hydraulic Modeling

The ENGINEER will construct a hydraulic model of the pressure system for pipe diameter of 4" and larger. The model shall be capable of representing the pressure collection system hydraulics in order to evaluate design and rehabilitation alternatives. The model shall be capable of evaluating existing and future land use and population projections. The model shall be delivered to the CITY as part of the project deliverables. The ENGINEER will provide the CITY with five (5) days of training. The model construction shall involve the following tasks:

c. Collection System Construction

The computerized mapping/data management system is required to efficiently analyze and model the pressure wastewater collection system of the City of Picayune. The ENGINEER will construct a geometric representation of the pressurized collection system using "AutoCAD", "ARC/INFO", and Arc View. This includes digitizing nodes for each pump station and diversion structure. The construction of the model shall use existing maps, drawings, and as-builts provided by the CITY. The pressurized collection system pipe segments shall be digitized with each line size placed on a separate layer. All manholes, pump stations, force mains, text and other structures shall be digitized on a separate layer from the pipe segments.

d. Database Population

The ENGINEER will populate the pressurized collection system database with information and attributes obtained through the field investigation activities and information provided by the CITY. The database population shall include the pipe size, length; invert elevations, ground level elevations, functional use (force main for this portion of the project), segment identifier and identification of adjacent manholes.

e. Land Use

The ENGINEER will digitize the City land use areas and Service area into a drawing file, as provided by the City. All areas must be represented by independent closed polygons. Estimates of actual residential, commercial and industrial populations shall be provided by the CITY. Engineer shall delineate lift station service areas.

f. Pump Station Investigation

The ENGINEER shall investigate only those pumping stations, which have direct influence on the modeled line segments. The ENGINEER shall obtain the following information:

- Wet well dimensions
- Wet well volume for each pump on and off setting
- Type of pump (constant or variable speed)
- Pumping rate for each pump and combination of pumps
- Force main size, discharge location and elevation

Task 3 Replace/Upgrade Pump Stations and Force Main

The Engineer will develop construction documents (plans and specifications) for the upgrade/rehabilitation of the lift stations and force mains as recommended and approved in Task 1. The projects will not be advertised for bid until the Government as per the attached PCA has satisfied the requirements for compliance with NEPA. Also, according to the PCA the engineer shall provide in progress review of the design at the 30% and the 100% stages of completion. Proposed budget shall include all geotechnical investigations, topographic survey, construction administration, construction inspection, and as-built tasks.

REGULAR MEETING DATED MARCH 18, 2003SECTION 3. DOCUMENTS

The ENGINEER shall furnish to the owner sufficient sets of drawings, specifications and contract documents for checking and approval at each review stage of the PROJECT and four (4) sets for the OWNER'S records after receipt of bids. The ENGINEER shall also furnish sufficient sets of plans, specifications and contract documents for the receipt of competitive bids and the construction of the project.

All Data collected by the ENGINEER and all documents, notes, drawings, tracings, and files shall remain the property of the ENGINEER except as otherwise provided in SECTION 10 of this Agreement. The ENGINEER shall furnish to the OWNER copies of any project documents requested by the OWNER.

The OWNER shall furnish without charge all standard plans and specifications and any other information which the OWNER now has in its files which may be of use to the ENGINEER.

The ENGINEER shall use the most current version of the standard forms of documents adopted and specified by the OWNER in the performance of the Design Phase and Bidding Phase of this contract. These documents include, but shall not be limited to, the Agreement, the General and Supplementary Conditions, the Invitation to Bid, the Instructions to Bidders, bid forms, and other related documents specified by the OWNER for a particular project. This obligation with respect to the OWNER'S contract documents is subject to the indemnity provisions contained in Section 12. Notwithstanding anything to the contrary in this Section 3 or in any other provision of this contract, none of the contract documents provided by the OWNER are or will become the property of the ENGINEER but shall remain the property of the OWNER to the extent the OWNER has a property interest therein. Unless the context otherwise requires, capitalized terms used in this paragraph with initial capitals shall have the meaning indicated for such terms in the OWNER'S contract documents.

SECTION 4. SUPPLEMENTARY SERVICES

The ENGINEER shall provide, when requested in writing by the OWNER, supplementary services not included in the basic services.

Such supplementary services shall include the following:

- A. Soils investigations.
- B. Laboratory inspection of materials and equipment.
- C. Right-of-way, easement and property acquisition surveys, plats, maps and documents.
- D. Any major revisions, for which the ENGINEER is not responsible, that are authorized by the OWNER after the completion and approval of either the preliminary or final plans, and specifications.
- E. Services concerning replacement of any work damaged by fire or other causes during construction.
- F. Services made necessary by the default of the contractor in the performance of the construction contract.
- G. Serving as an expert witness in connection with court proceedings.
- H. Traffic Engineering.
- I. Topographic Survey.
- J. Preparation of Environmental Assessment documents and/or Environmental Permits.

The compensation to the ENGINEER for the above supplemental services, when performed by the ENGINEER'S forces, shall be in the form of a lump sum which is mutually agreeable to the City and to the ENGINEER.

If the parties hereto are unable to agree on the basis of such additional work, the ENGINEER shall be paid on the basis of their certified and itemized salary costs plus a fee to cover overhead costs and profit in accordance with the rate schedule established in Attachment A to this contract. In each case, the work is to be initiated only upon receipt of a written work order from the OWNER'S representative which must include the scope of work and a maximum fee that can be charged.

REGULAR MEETING DATED MARCH 18, 2003

- K. Resident Inspection. The ENGINEER shall assign personnel, acceptable to the OWNER, at a fee acceptable to the OWNER. The fee shall be on the basis of the actual time of personnel used at the then currently approved hourly rates.

All invoices submitted covering services rendered on an hourly basis shall include time sheets showing actual hours worked by each individual, their classifications and a brief description of the work performed. All other supplemental services shall be invoiced monthly according to percentage of work completed.

Payments to the ENGINEER for Supplementary Services shall be made monthly upon presentation of the invoice for work performed during the preceding month.

SECTION 5. PROPERTY ASSESSMENT PROGRAMS

(NOT APPLICABLE)

SECTION 6. BUDGET LIMITATIONS

(NOT APPLICABLE)

SECTION 7. NOTICE TO PROCEED

The Mayor through the City Manager and/or the Director of Planning and Development shall notify the ENGINEER in writing to undertake the services stated in SECTION 2, and the ENGINEER shall commence the services within ten (10) days after receipt of such notification.

If the OWNER desires to divide the Project into various parts, a Notice to Proceed shall be issued for each part, and the OWNER and the ENGINEER shall mutually agree upon the period of time within which services for each part of the Project shall be performed.

The ENGINEER will be given time extensions for delays beyond their control or for those caused by tardy approvals of work in progress by various official agencies, but no additional compensation shall be allowed for such delays.

SECTION 8. PAYMENTS

For all services outlined in Section 2 the OWNER shall pay the Engineer a basic lump sum fee as presented. Payment for services shall be as itemized below:

Task 1 Feasibility study

Lump Sum \$45,000

Task 2 Perform Collection System Modeling to Prepare Correction Action Plan

Lump Sum \$95,000

Task 3 Replace/Upgrade Pump Stations and Force mains

Lump Sum \$75,000

For each task in SECTION 2 and any other services required for this project, the work is to be initiated only upon receipt of a written work order from the OWNER'S representative, which must include the scope of work and a maximum fee which can be charged. The maximum cumulative fee that can be charged for all work on this contract, including the work performed under SECTION 4, shall not exceed \$215,000 unless increased by contract amendment approved by the City of Picayune Council.

SECTION 9. FUNDS

(NOT APPLICABLE)

SECTION 10. TERMINATION OR SUSPENSION

The terms of this contract shall be binding upon the parties hereto until the work has been completed and accepted by the OWNER and all payments required to be made to the ENGINEER have been made; but this contract may be terminated under any or all of the following conditions:

1. By mutual agreement and consent of the parties hereto.
2. By the OWNER as a consequence of the failure of the ENGINEER to comply with the terms, progress or quality of work in a satisfactory manner, proper allowance being made for circumstances beyond the control of the ENGINEER.
3. By either party upon failure of the other party to fulfill its obligations as set forth in their contract.
4. In the event of the abandonment of the project by the OWNER.

This agreement shall automatically terminate upon satisfactory completion of all services and obligations described herein or three (3) years from the date of its execution, whichever event occurs first.

Upon termination the ENGINEER shall be paid for actual work performed prior to the notice of termination on a pro-rata share of the basic fee based on the phase or percentage of work actually completed.

Upon termination under Item 2 above, the ENGINEER shall deliver to the OWNER all original documents, notes, drawings, tracings, computer files, and files except the ENGINEER'S personal and administrative files.

Should the OWNER desire to suspend the work, but not definitely terminate the contract, this may be done by thirty (30) days notice given by the OWNER in writing to that effect, and the work may be reinstated and resumed in full force and effect upon receipt from the OWNER of thirty (30) days notice in writing to that effect. ENGINEER shall receive no additional compensation.

SECTION 11. INSURANCE

The ENGINEER shall secure and maintain at his expense such insurance that will protect him, and the OWNER, from claims under the Workmen's Compensation Acts and from claims for bodily injury, death or property damage which may arise from the performance of services under this agreement. All certificates of insurance shall be furnished to the OWNER and shall provide that insurance shall not be canceled without thirty (30) days prior notice of cancellation given to the City of Picayune, in writing, on all of the required coverage's provided to the City of Picayune. All notices will name the ENGINEER, and identify the Council Resolution approving the terms of the contract. The OWNER may examine the policies.

A. All policies and certificates of insurance of the ENGINEERS SHALL contain the following clauses:

1. The ENGINEER insurers will have no right of recovery or subrogation against the City of Picayune, it being the intention of the parties that the insurance policy so affected shall protect both parties and be the primary coverage for any and all losses covered by the below described insurance.
2. The City of Picayune shall be named as additional insured as regards to automobile and general liability with respect to negligence by the ENGINEER (ISO Forms CG 20 10 (Form B)).
3. The insurance companies issuing the policy or policies shall have no recourse against the City of Picayune for payment of any premiums or for assessments under any form of policy.
4. Any and all deductible in the below described insurance policies shall be assumed by and be at the sole risk of the ENGINEER.

B. Prior to the execution of this agreement the ENGINEER, shall provide at its own expense, proof of the following insurance coverage required by the contract to the City of Picayune by insurance companies authorized to do business in the State of

REGULAR MEETING DATED MARCH 18, 2003

Mississippi. Insurance is to be placed with insurers with an A.M. Best rating of no less than A:VI. This requirement will be waived for worker's compensation coverage only for those ENGINEERS whose worker's compensation coverage is placed with companies who participate in the State of Mississippi Worker's Compensation Assigned Risk Pool or the Mississippi Worker's Compensation Corporation.

1. **Worker's Compensation Insurance:**

As required by Mississippi State Statute exception; employer's liability shall be at least \$1,000,000 per occurrence when work is to be over water and involves maritime exposures, otherwise this limit shall be no less than \$500,000 per occurrence.

2. **Commercial General Liability Insurance with a Combined Single Limit of at least \$500,000 per occurrence for bodily injury and property damage. This insurance shall include coverage for bodily injury and property damage, and indicate on the certificate of insurance the following:**

- a) Premises - operations;
- b) Broad form contractual liability;
- c) Products and completed operations;
- d) Use of contractors and sub-contractors;
- e) Personal injury;
- f) Broad form property damage;
- g) Explosion, collapse and underground (XCU) coverage

NOTE: On the certificate of insurance, under the description of operations, the following wording is required: "The aggregate loss limit applies to each project or a copy of ISO Form CG 25 03 (ed.11-85 or latest form) shall be submitted."

3. **Business Automobile Liability Insurance with a Combined Single Limit of \$500,000 per occurrence for bodily injury and property damage, unless otherwise indicated. This insurance shall include for bodily injury and property damage the following coverage:**

- a) Any automobiles;
- b) Owned automobiles;
- c) Hired automobiles;
- d) Non-owned automobiles;
- e) Uninsured motorist.

4. **An umbrella policy or excess may be used to meet minimum requirements.**

5. **Owner's Protective Liability: The ENGINEER shall take out and maintain a policy of Owner's Protective Liability for the same limits of liability for bodily injury and property damage liability and conditions as provided herein above under "Comprehensive General Liability Insurance". The cost of this coverage is at the ENGINEER'S expense.**

6. **The ENGINEER shall also secure and maintain at his expense professional liability insurance in the sum of at least One Million Dollars (\$1,000,000.00).**

All policies of insurance shall meet the requirements of the OWNER prior to the commencing of any work. The OWNER has the right but not the duty to approve all insurance policies prior to commencing of any work. If at any time any of the said policies shall be or becomes unsatisfactory to the OWNER as to form or substance; or is a company issuing any such policy shall be or become unsatisfactory to the OWNER, the ENGINEER shall promptly obtain a new policy, submit the same to the OWNER for approval and submit a certificate thereof as provided above.

Upon failure of a ENGINEER to furnish, to deliver and maintain such insurance as above provided, this contract, at the election of the OWNER, may be forthwith declared suspended, discontinued or terminated. Failure of the ENGINEER to take out and/or to

REGULAR MEETING DATED MARCH 18, 2003

maintain insurance shall not relieve the ENGINEER from any liability under the contract, nor shall the insurance requirements be construed to conflict with the obligation of the ENGINEER concerning indemnification.

SECTION 12. GENERAL

The ENGINEER shall, at all times during the term of this contract, maintain a valid Mississippi Engineering License.

The professional and technical adequacy and accuracy of designs, drawings, specifications, documents, and other work products furnished under this AGREEMENT will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession. Where OWNER must have work done by change order or addition resulting from an error or omission by the ENGINEER, ENGINEER shall provide, at no costs to OWNER, all professional services attributable to the change order. This is in addition to OWNER'S right to recover from ENGINEER damages for ENGINEER'S errors and omissions.

The ENGINEER shall indemnify and hold harmless the OWNER against any and all claims, demands, suits, costs, liabilities or judgements for sums of money, and fines or penalties asserted by any party, firm or organization for loss of life or injury or damages to person or property, growing out of, resulting from, or by reason of any negligent acts, errors, and/or omissions, by the ENGINEER, its agents, servants or employees, while engaged upon or in connection with the services required to be performed by the ENGINEER under this AGREEMENT.

Further, ENGINEER hereby agrees to indemnify the OWNER for all reasonable expenses and attorneys' fees incurred by or imposed upon the OWNER in connection therewith for any loss, damage, injury or other casualty pursuant to this section. ENGINEER further agrees to pay all reasonable expenses and attorneys' fees incurred by the OWNER in establishing the right to indemnity pursuant to the provisions of this section.

While in the performance of services or carrying out other obligations under this agreement, the ENGINEER shall be acting in the capacity of independent contractors and not as employees of the City. The City shall not be obliged to any person, firm or corporation for any obligations of the ENGINEER arising from the performance of their services under this agreement. The ENGINEER shall be authorized to represent the City with respect to services being performed, dealings with other agencies, and administration and control of construction contracts as intended by the provisions of SECTION 2 hereof.

In the event that the ENGINEER modifies the OWNER'S contract documents without the express prior written consent of the OWNER, whether such modification is made by the Supplementary Conditions, the Specifications, Addenda, Written Amendments, Change Orders, or in any other manner, the ENGINEER shall indemnify and hold harmless the OWNER from any claims, lawsuits, or damages that arise out of or are attributable to the modification. In particular, this shall include, but not be limited to, modification to any contract warranties; liquidated damages; payment terms; substantial or final completion; subsurface conditions; drawing requirements; "or-equal" materials; insurance; notice to proceed; change orders; contract amendments, obligations, duties, or responsibilities of the Contractor, etc. This indemnification and hold harmless obligation shall include not only the damages suffered by the OWNER but also all reasonable expenses including, but not limited to, any and all litigation or other dispute resolution costs and any and all professional fees incurred by the OWNER as a result of the ENGINEER'S deviation from the OWNER'S contract documents. Unless the context otherwise requires, capitalized terms used in this paragraph with initial capitals shall have the meaning indicated for such terms in the OWNER'S contract documents.

The ENGINEER warrants that he has not employed or retained any company or person, other than a bona-fide employee working solely for the consultant, to solicit or secure this contract, and that they have not paid or agreed to pay any company or person, other than bona-fide employees working solely for the consultant, any fee, commission, percentage, brokerage fee, gifts, or any other consideration, contingent upon or resulting from the award or making of this contract. For breach or violation of this warranty, the City shall have the right to annul this contract without liability.

REGULAR MEETING DATED MARCH 18, 2003

This agreement shall be binding upon the successors and assigns for the parties hereto. This agreement being for the personal services of the ENGINEER, shall not be assigned or subcontracted in whole or in part by the ENGINEER as to the services to be performed hereunder without the written consent of the OWNER.

This agreement represents the entire Agreement between OWNER and ENGINEER.

SECTION 13.

This agreement is executed in 3 originals. IN TESTIMONY WHEREOF, they have executed this agreement, the day and year first above written.

FOR THE CITY OF PICAYUNE
STATE OF MISSISSIPPI

WITNESSES

BY _____
Greg Mitchell, Mayor

ENGINEERING

HARTMAN ENGINEERING, INC.

WITNESSES

BY _____
Janet L. Evans, P.E., President

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

At this time Council Member Roberson recused himself.

CONSIDER REQUEST TO AWARD BID FOR SALE OF LOTS

Motion was made by Council Member Guy, seconded by Council Member Parker, to award bid to Charles Roberson, DBA Roberson Enterprises, Inc. for Lots 3 and 5 Westside Redevelopment Area, for \$5,025.00 and \$5325.00 respectively and authorize the Mayor to sign the deed. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

RECUSED AND NOT VOTING Council Member Roberson

The motion was declared carried.

REGULAR MEETING DATED MARCH 18, 2003

At this time Council Member re-entered the meeting.

CONSIDER REQUEST TO APPLY FOR THE BULLETPROOF VEST PROGRAM

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to authorize the Community Development Department to apply for the Bulletproof Vest Program (BVP) through the Bureau of Justice Assistance Grant Program and authorize the Mayor to sign same. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER SETTING DATE AND TIME FOR PUBLIC HEARING REGARDING APPLICATION WITH RURAL DEVELOPMENT

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to set the date and time of April 3, 2003 at 11.00 a.m. for a public hearing for citizen input into the development of a grant application to Rural Development for essential equipment for the Fire Department. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER AWARDING PROFESSIONAL SERVICES CONTRACT

Motion was made by Council Member Roberson, seconded by Council Member Parker to award the professional services contract to Allen & Hoshall for Taxiway Lighting project at the Picayune Municipal Airport in the amount of \$ 20,000 and authorize the Mayor to sign same. Funding is 90% FAA and 10% MDOT. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO ADVERTISE FOR TAXIWAY LIGHTING FOR THE PICAYUNE MUNICIPAL AIRPORT

Motion was made by Council Member Guy, seconded by Council Member Roberson, to authorize the consulting engineer to advertise for bids for taxiway lighting at the Picayune Municipal Airport. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

REGULAR MEETING DATED MARCH 18, 2003

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER ACCEPTANCE OF DONATION

Motion was made by Council Member Bounds, seconded by Council Member Parker, to accept the donation of batting cages from Robert Thigpen, Pearl River County District 4 Supervisor. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO ADJOURN

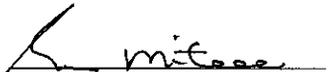
Motion was made by Council Member Bounds, seconded by Council Member Guy to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.


Greg Mitchell, Mayor

ATTEST:


Nicole Dagnall, City Clerk

April 1, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, April 1, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Donald Parker, Kathy Watts, and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Nicole Dagnall, City Attorney Nathan Farmer and Police Chief Jim Luke.

It Being Determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Rev. Kent Megehee of Unity Baptist Church, followed by the Pledge of Allegiance led by Council Member Donald Parker.

ORDER TO APPROVE THE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Parker, to approve the minutes of the Mayor and City Council dated March 18, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson and Guy

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Parker, to approve the issuance of the following manual checks:

City of Picayune, General Fund	Utility	NTE \$ 52,000.00
Ms. State Tax Commission	Utility	NTE \$ 6,000.00
Ms. State Tax Commission	General	\$ 58.75

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson and Guy

The motion was declared carried.

REGULAR MEETING DATED APRIL 1, 2003

CONSIDER REQUEST TO APPROVE AGREEMENT TO PROVIDE SECURITY SERVICES FOR THE PICAYUNE SCHOOL DISTRICT

Motion was made by Council Member Bounds, seconded by Council Member Parker, to approve the following agreement and authorize the Mayor to sign the agreement:

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER

AGREEMENT TO PROVIDE SECURITY SERVICES

THIS AGREEMENT made and entered into upon this the 18th day of March, A.D., 2003, by and between the **CITY OF PICAYUNE**, a Mississippi Municipal Corporation, (hereinafter referred to as City) and the **PICAYUNE SCHOOL DISTRICT** (hereinafter referred to as School).

RECITALS:

WHEREAS, the School now provides its own security force; and whereas the city has made a proposal to the School as to how it can provide those same security forces together with the additional benefits of having the resources and manpower available to it of the Picayune Police Department at a cost equivalent to what the School is now paying for security; and

WHEREAS, both parties are in agreement that a partnership type agreement such as this would benefit both parties, the students, and the citizens of the community.

NOW THEREFORE, in consideration of the representations and agreements of the parties herein contained, the parties do hereby agree as follows:

I. SERVICES FURNISHED

The City would hire the existing School Security employees. Said employees would be paid by the City and entitled to all the benefits of City employees, but would still be stationed for regular duties at the school as they are currently. When school is not in session, said employees will be provided assignment by the Chief of Police or his designee. The City would provide training for the security employees as City police officers, including the State Police Academy and D.A.R.E. training. Though said employees would officially answer to the City Chief of Police or his designee, the School would retain the right to dispatch the security officers to various schools as needs arise during the course of a school day and to give daily supervision and instruction to said employees as is needed. Through this agreement the City agrees to provide additional units and personnel as are needed and available should said needs arise in emergency type needs. The essence and intent of this agreement is that the City will assume and provide to the School a level of security no less than the School is already providing itself; and the hope and desire is that through this contractual agreement the City will be able to provide the School a level of security greater than it has been able to provide itself.

II. PAY OF SECURITY OFFICERS

The rate of pay of school security officers will be based on the salary schedule established by the City for Police Department employees. This pay rate will be based on training and years of experience as determined by the Police Department. Training as School Resource Officers and D.A.R.E. instructors shall be the responsibility of the City.

III. EQUIPMENT

The City will utilize and maintain all present equipment owned by the School for use by the Security Officers during the life of this contract. The equipment will remain a part of the Fixed Assets of the School. The City will be responsible for the maintenance of this equipment. At the end of this contract the equipment shall remain the property of the School.

REGULAR MEETING DATED APRIL 1, 2003**IV. SECURITY VEHICLES**

For the sum of \$10.00 each, the School will lease its two security vehicles to the City for one year (July 1, 2003, through June 30, 2004) for use by the Security Officers. The City will be responsible for the maintenance of said vehicles. The vehicles will remain a part of the Fixed Assets of the School. At the end of this contract the vehicles shall remain the property of the School.

V. CONTRACT PRICE

The agreed upon contract price for the security services specified above shall be the sum of \$79,989.00. In addition, the School shall pay unto the City the agreed upon amount of \$15,000.00 for the School's portion of a D.A.R.E. officer, or a total price of \$94,989.00. The School shall make payment under the terms of this contract with the City in the form of twelve (12) monthly installments of \$7,915.75 each. Each monthly installment will be made after the regularly scheduled meeting of the Picayune School District Board of Trustees.

VI. CONTRACT TERM

The term of this contract shall be for a period of one (1) year, commencing on July 1, 2003, and continuing until June 30, 2004.

VII. RENEWAL OF CONTRACT

On or before February 15, 2004, and annually on the 15th day of February each year, the City and the School will provide written notification of their intention to renew or terminate this contract which will expire on its completion date of June 30, 2004, and each year thereafter on the 30th of June.

VIII. ENTIRE AGREEMENT

This agreement is complete in its entirety between the parties involved. This agreement supersedes all other verbal or written agreements made prior to or concurrent with this Agreement.

IX. MODIFICATIONS

This agreement may be modified only by the execution of a written agreement signed by all the parties hereto. Each party understands and acknowledges that if either party wants any additional services or provisions that have not been included in this agreement, a separate agreement or addendum shall be necessary.

Executed in duplicate on the day and date first herein mentioned.

THE CITY OF PICAYUNE, a Mississippi
Municipal Corporation

By: _____
Greg Mitchell, Mayor

Attest: _____
Nicole Dagnall, City Clerk

THE PICAYUNE SCHOOL DISTRICT

By: _____
Superintendent of Education

By: _____
President of the Board of Education

REGULAR MEETING DATED APRIL 1, 2003

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Roberson and Guy

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF RETIREMENT DEVELOPMENT MONTHLY ACTIVITIES REPORT

Motion was made by Council Member Bounds, seconded by Council Member Parker, to acknowledge receipt of the Retirement Development Monthly Activities Report for the month of February 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Roberson and Guy

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE THE MAYOR TO SIGN THE WAIVER AND GENERAL ENTRY OF APPEARANCE IN CAUSE NO. 2002-971

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize the Mayor to sign the Waiver and General Entry of Appearance in Cause No. 2002-971 per request from City Attorney Nathan Farmer. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Roberson and Guy

The motion was declared carried.

CONSIDER REQUEST FOR MAYOR TO SIGN QUITCLAIM DEED

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize the Mayor to sign a quitclaim deed for 1999 taxes in the name of Robert Bridges, Sr., parcel # 617-516-004-03-018-00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Roberson and Guy

The motion was declared carried.

REGULAR MEETING DATED APRIL 1, 2003CONSIDER REQUEST FROM FIRE DEPARTMENT TO CONDUCT BOOT DRIVE

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize the Picayune Fire Department to conduct a boot drive for the Mississippi Firefighters Memorial Burn Center on May 3, 2003 at the intersections of Canal and Highway 11 and Highway 43 South and Ridge Road. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Roberson and Guy

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE THE MAYOR TO SIGN QUITCLAIM DEED

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize the quitclaim of the city's right, title and interest in the property and authorize the Mayor to sign quitclaim deed unto Bobby R. Loftin and Lorene A. Loftin. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Roberson and Guy

The motion was declared carried.

CONSIDER REQUEST TO ACCEPT THE LOW BID ON SEMI-ANNUAL BIDS FOR THE PERIOD OF APRIL 1, 2003 TO SEPTEMBER 30, 2003

Motion was made by Council Member Bounds, seconded by Council Member Parker, to accept the following semi-annual bids for the period of April 1, 2003 to September 30, 2003:

Chlorine in 150 lb. cylinder, including delivery to sewerage treatment plant	\$ 57.50	DPC Enterprises
Oxygen - welding 244 cu. ft. per cylinder	6.50	Nordan Smith
Acetylene - 100 cu. ft.	13.20	Nordan Smith
Hot Bituminous Surface Plantmix Asphalt SC-1	33.50	Huey Stockstill
Hot Bituminous Surface Plantmix Asphalt SC-2	33.50	Huey Stockstill
Hot Mix Asphalt (lay and haul)	50.00	Huey Stockstill
Hot Mix Sand Asphalt	50.00	Huey Stockstill
EA-4 for tack	1.00	Huey Stockstill
30 X 36, 1.5 mill, black or brown, 52 per box or roll	3.25	Biloxi Paper Co.
Concrete Pipe		
12" reinforced	11.18	Hanson Pipe
15" reinforced	11.88	Hanson Pipe
18" reinforced	13.13	Hanson Pipe
21" reinforced	17.80	Hanson Pipe
24" reinforced	21.60	Hanson Pipe
27" reinforced	26.70	Hanson Pipe
30" reinforced	30.00	Hanson Pipe
36" reinforced	42.50	Hanson Pipe
42" reinforced	53.00	Hanson Pipe
48" reinforced	69.00	Hanson Pipe

REGULAR MEETING DATED APRIL 1, 2003

54' reinforced	84.80	Hanson Pipe
60" reinforced	102.80	Hanson Pipe
18" X 11" reinforced concrete arch pipe	21.75	Hanson Pipe
22" X 13" reinforced concrete arch pipe	23.00	Hanson Pipe
29" X 18" reinforced concrete arch pipe	29.60	Hanson Pipe
36" X 23" reinforced concrete arch pipe	35.50	Hanson Pipe
44" X 27" reinforced concrete arch pipe	49.00	Hanson Pipe
58" X 36" reinforced concrete arch pipe	80.70	Hanson Pipe
65" X 40" reinforced concrete arch pipe	98.40	Hanson Pipe
73" X 45" reinforced concrete arch pipe	122.00	Hanson Pipe
88" X 54" reinforced concrete arch pipe	169.00	Hanson Pipe
51" X 31" reinforced concrete arch pipe	63.75	Hanson Pipe
Concrete per yard 2,500 lb. mix	57.95	Huey Stockstill
Concrete per yard 3,000 lb. mix	59.95	Huey Stockstill
Concrete Manholes		
60" bottom, 6 in. overhang, 8 in. thick	298.00	Hanson Pipe
60" flat slab top	262.00	Hanson Pipe
60" precast concrete wet well	115.00	Hanson Pipe
72" bottom, 6 in. overhang, 8 in. thick	407.00	Hanson Pipe
72" flat slab top	372.00	Hanson Pipe
72" precast concrete wet well	185.00	Hanson Pipe
48" X 36" precast concrete cone section	62.00	Hanson Pipe
48" precast concrete riser section	62.00	Hanson Pipe
70" diam. X 6" thick precast manhole bottom	120.00	Hanson Pipe
48" precast concrete flat slab top	95.00	Hanson Pipe
4" concrete adjusting ring	16.50	Hanson Pipe
6" concrete adjusting ring	25.00	Hanson Pipe
4" flexible coupling	32.00	Hanson Pipe
6" flexible coupling	34.00	Hanson Pipe
8" flexible coupling	38.00	Hanson Pipe
10" flexible coupling	44.00	Hanson Pipe
12" flexible coupling	46.00	Hanson Pipe
Cast iron manhole ring and cover (400 lbs.)	186.00	Hanson Pipe
Polyethylene Culvert Pipe (per foot)		
8" diameter	1.90	ADS
10" diameter	2.40	ADS
12" diameter	3.00	ADS
15" diameter	3.95	ADS
18" diameter	5.95	ADS
24" diameter	9.00	ADS
30" diameter	15.00	ADS
36" diameter	18.95	ADS
42" diameter	26.05	ADS
48" diameter	31.20	ADS

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Roberson and Guy

The motion was declared carried.

REGULAR MEETING DATED APRIL 1, 2003CONSIDER REQUEST TO ASSESS A LIEN FOR THE COST OF CLEANING AND DEMOLITION AT 214 WEEMS STREET

Motion was made by Council Member Bounds, seconded by Council Member Parker, to following Resolution assessing a lien for the cost of cleaning and demolition at 214 Weems Street:

**BEFORE THE MAYOR AND COUNCIL OF THE CITY OF PICAYUNE
PEARL RIVER COUNTY, MISSISSIPPI**

**RESOLUTION DETERMINING COST OF DEMOLITION AND
REMOVAL OF BUILDING**

WHEREAS, at a public hearing held on the 18th day of September 18, 2001 and after notice given to the property owner as required by law, the Mayor and Council determined that the building on the property of William Kindred et al, located at 214 Weems Street being legally described as:

Section 617-515-004-05-010
Block 2, lot 10, Williams Southside Addition to the City of Picayune,
As per the official map or plat thereof on file in the
Office of the Chancery Clerk of Pearl River County, Mississippi,

WHEREAS, after determining that all of the requirements of said statute to be performed by the City of Picayune were met and that the owner would not or did not repair or remove said buildings, the building official did then proceed to have the buildings demolished and removed as hereinafter specified.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that the actual cost of such demolition of said property is adjudicated to be as follows, to-wit:

- | | | |
|----|---|-------------|
| 1. | Contract for demolition and removal of debris | \$ 1,650.00 |
| 2. | Processing Fee | \$ 25.00 |

BE IT FURTHER RESOLVED that the actual cost of said demolition and removal as aforesaid be assessed against the hereinabove described real property and that the City of Picayune, Mississippi, shall have a lien against the hereinabove described real property in the amount of \$ 1,675.00 and that by virtue of the provisions of Section 43-35-105(e) this lien shall be filed and enrolled in the Office of the Circuit clerk of Pearl River County, Mississippi, as other judgments are recorded.

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Roberson and Guy

The motion was declared carried.

CONSIDER REQUEST TO ASSESS A LIEN FOR THE COST OF CLEANING AND DEMOLITION AT 118 NORTH HOWARD AVENUE

Motion was made by Council Member Bounds, seconded by Council Member Parker, to approve the following Resolution assessing a lien for the cost of cleaning and demolition at 118 North Howard Avenue:

REGULAR MEETING DATED APRIL 1, 2003

**BEFORE THE MAYOR AND COUNCIL OF THE CITY OF PICAYUNE
PEARL RIVER COUNTY, MISSISSIPPI
RESOLUTION DETERMINING COST OF DEMOLITION AND
REMOVAL OF BUILDING**

WHEREAS, at a public hearing held on the 18th day of September 2001, and after notice given to the property owner as required by law, the Mayor and Council determined that the building on the property of Mary E. Steve, et al located at 118 North Howard Avenue being legally described as:

Section 617-614-001-07-045
Block 6, Lots 1 and 2, East Picayune Addition to the City of Picayune,
As per official map or plat thereof on file in the
Office of the Chancery Clerk of Pearl River County, Mississippi,

WHEREAS, after determining that all of the requirements of said statute to be performed by the City of Picayune were met and that the owner would not or did not repair or remove said buildings, the building official did then proceed to have the buildings demolished and removed as hereinafter specified.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council that the actual cost of such demolition of said property is adjudicated to be as follows, to-wit:

- | | | |
|----|---|-------------|
| 1. | Contract for demolition and removal of debris | \$ 1,525.00 |
| 2. | Processing fee | \$ 25.00 |

BE IT FURTHER RESOLVED that the actual cost of said demolition and removal as aforesaid be assessed against the hereinabove described real property and that the City of Picayune, Mississippi, shall have a lien against the hereinabove described real property in the amount of \$ 1,550.00 and that by virtue of the provisions of Section 43-35-105(e) this lien shall be filed and enrolled in the Office of the Circuit Clerk of Pearl River County, Mississippi, as other judgments are recorded.

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Roberson and Guy

The motion was declared carried.

**CONSIDER REQUEST TO SET DATE FOR PUBLIC HEARING ON PROPERTY
CLEANUP AT 1001 PALESTINE ROAD**

Motion was made by Council Member Bounds, seconded by Council Member Parker, to set the date and time of May 6, 2003 at 6:00 p.m. for a public hearing on property cleanup located at 1001 Palestine Road. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Roberson and Guy

The motion was declared carried.

REGULAR MEETING DATED APRIL 1, 2003ORDER TO APPROVE DOCKET

Motion was made by Council Member Bounds, seconded by Council Member Parker, to approve the docket for the month of March 2003 in the amount of \$ 627,804.43. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Roberson and Guy

The motion was declared carried.

CONSIDER REQUEST TO ADOPT BUDGET AMENDMENT #3 FOR YEAR ENDING SEPTEMBER 30, 2003

Motion was made by Council Member Bounds, seconded by Council Member Parker, to adopt budget amendment #3 for year ending September 30, 2003 as follows:

CITY OF PICAYUNE – GENERAL FUND
BUDGET AMEND #3
FOR THE YEAR ENDING 9/30/03

	<u>2002-2003</u>			
	<u>Budget</u>	<u>Amend #1</u>	<u>Amend #2</u>	<u>Amend #3</u>
REVENUES:				
License & Permits	375,000	375,000	375,000	375,000
Intergovernmental Revenue	3,112,000	3,252,651	4,156,151	4,190,465
Charges for Services	606,000	606,000	606,000	606,000
Fines & Forfeits	340,000	340,000	340,000	340,000
Miscellaneous	12,000	12,000	12,000	12,000
Transfers In	1,840,000	350,000	350,000	350,000
Interest Income	41,000	41,000	41,000	41,000
Non-Revenue Receipts	0	100	200	2,999
Total from All Sources, other than taxes	6,326,000	4,976,751	5,880,351	5,917,464
Beginning Cash	2,052,409	3,599,499	3,599,499	3,599,499
Total Receipts other than Ad Valorem Tax	8,378,409	8,576,250	9,479,850	9,516,963
Amount to be Raised by Ad Valorem Tax	1,489,000	1,489,000	1,489,000	1,489,000
Total from All Sources	9,867,409	10,065,250	10,968,850	11,005,963

EXPENSES:GENERAL GOVERNMENT

Personnel	903,642	903,642	903,642	903,642
Supplies	35,850	35,850	35,850	35,850
Other Services & Charges	471,300	481,300	481,300	481,300
Capital Outlays	73,000	73,000	73,000	73,000
TOTAL	1,483,792	1,493,792	1,493,792	1,493,792

REGULAR MEETING DATED APRIL 1, 2003

PUBLIC SAFETY - POLICE

Personnel	1,664,697	1,664,697	1,664,697	1,664,697
Supplies	143,525	143,525	143,625	139,424
Other Services & Charges	178,150	178,150	178,150	171,100
Capital Outlays	<u>136,800</u>	<u>136,800</u>	<u>141,800</u>	<u>148,300</u>
TOTAL	2,123,172	2,123,172	2,128,272	2,123,521

PUBLIC SAFETY - FIRE

Personnel	1,272,858	1,272,858	1,272,858	1,272,858
Supplies	56,750	56,850	56,850	58,100
Other Services & Charges	62,900	67,850	67,850	67,850
Capital Outlays	<u>597,500</u>	<u>597,500</u>	<u>597,500</u>	<u>597,500</u>
TOTAL	1,990,008	1,995,058	1,995,058	1,996,308

PUBLIC WORKS

Personnel	851,354	851,354	851,354	851,354
Supplies	261,100	261,100	261,100	261,100
Other Services & Charges	855,250	855,250	855,250	855,250
Capital Outlays	<u>742,075</u>	<u>882,726</u>	<u>1,779,726</u>	<u>1,779,726</u>
TOTAL	2,709,779	2,850,430	3,747,430	3,747,430

CULTURE & RECREATION

Personnel	0	0	0	0
Supplies	2,300	2,300	2,300	2,300
Other Services & Charges	10,000	10,000	10,000	10,000
Capital Outlays	<u>12,000</u>	<u>12,000</u>	<u>16,000</u>	<u>16,000</u>
TOTAL	24,300	24,300	28,300	28,300

Cost of Living Raises	234,000	234,000	234,000	234,000
Aid to Other Governments	45,425	45,425	45,425	45,425
Transfers Out	372,800	373,599	373,599	373,599
Ending Cash Balance	<u>884,133</u>	<u>925,474</u>	<u>922,974</u>	<u>963,588</u>

TOTAL EXPENDITURES & ENDING CASH BALANCE	<u>9,867,409</u>	<u>10,065,250</u>	<u>10,968,850</u>	<u>11,005,963</u>
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CITY OF PICAYUNE - AIRPORT FUND
BUDGET AMENDMENT #3
FOR THE YEAR ENDING 9/30/03

	<u>2002-2003</u>	<u>Amend #1</u>	<u>Amend #2</u>	<u>Amend #3</u>
	<u>Budget</u>			
REVENUES:				
Federal Grants	1,701,088	654,668	654,668	654,668
State Grants	14,799	14,799	14,799	14,799
Revenues	68,000	74,000	74,000	109,000
Loan Proceeds				
Transfers In	<u>4,300</u>	<u>66,047</u>	<u>66,047</u>	<u>66,047</u>
TOTAL REVENUE	1,788,187	809,514	809,514	844,514
BEGINNING CASH & INVESTMENTS	<u>351,186</u>	<u>93,070</u>	<u>93,070</u>	<u>93,070</u>
TOTAL FROM ALL SOURCES	<u>2,139,373</u>	<u>902,584</u>	<u>902,584</u>	<u>937,584</u>

REGULAR MEETING DATED APRIL 1, 2003**EXPENSES:**

Personnel	52,609	52,609	52,609	52,609
Supplies	26,000	26,000	26,000	61,000
Other Services & Charges	47,000	47,000	47,000	47,000
Capital Outlays	<u>217,900</u>	<u>469,627</u>	<u>469,627</u>	<u>469,627</u>
TOTAL OPERATING EXPENSES	343,509	595,236	595,236	630,236
Loan Payments - Loaned from General Fund	1,490,000	0	0	0
Loan Payments (Transfer Out)	126,500	126,500	126,500	126,500
ENDING CASH & INVESTMENTS	<u>179,364</u>	<u>180,848</u>	<u>180,848</u>	<u>180,848</u>
TOTAL DISBURSMENTS & ENDING CASH BALANCE	<u>2,139,373</u>	<u>902,584</u>	<u>902,584</u>	<u>937,584</u>

CITY OF PICAYUNE - UTILITY FUND
BUDGET AMENDMENT #3
FOR THE YEAR ENDING 9/30/03

	<u>2002-2003</u>			
	<u>Budget</u>	<u>Amend #1</u>	<u>Amend #2</u>	<u>Amend #3</u>
REVENUES:				
Charges for Utility Services	3,490,000	3,490,000	3,490,000	3,490,000
Non-Revenue Receipts	13,000	13,000	13,000	367,750
Interest Income	33,000	33,000	33,000	33,000
Loan Proceeds	<u>0</u>	<u>0</u>	<u>0</u>	<u>243,019</u>
TOTAL REVENUES	3,536,000	3,536,000	3,536,000	4,133,769
BEGINNING CASH	<u>2,184,503</u>	<u>2,273,020</u>	<u>2,273,020</u>	<u>2,273,020</u>
TOTAL FROM ALL SOURCES	<u>5,720,503</u>	<u>5,809,020</u>	<u>5,809,020</u>	<u>6,406,789</u>

EXPENSES:**UTILITY ADMINISTRATION**

Personnel	119,900	119,900	119,900	119,900
Supplies	8,000	8,000	8,000	8,000
Other Services & Charges	86,100	94,100	94,100	94,100
Capital Outlays	<u>6,000</u>	<u>6,000</u>	<u>6,000</u>	<u>6,000</u>
TOTAL	<u>220,000</u>	<u>228,000</u>	<u>228,000</u>	<u>228,000</u>

**TREATMENT PLANT &
UTILITY CONSTRUCTION**

Personnel	958,405	958,405	958,405	958,405
Supplies	1,987,250	1,987,250	1,987,250	1,987,250
Other Services & Charges	395,855	395,855	395,855	395,855
Capital Outlays	<u>829,186</u>	<u>829,186</u>	<u>829,186</u>	<u>1,545,205</u>
TOTAL	<u>4,170,696</u>	<u>4,170,696</u>	<u>4,170,696</u>	<u>4,886,715</u>
Cost of Living Raises	55,000	55,000	55,000	55,000
Aid to other Governments	350,000	350,000	350,000	350,000
Transfers Out	37,000	37,000	37,000	37,000
Ending Cash Balance	<u>887,807</u>	<u>968,324</u>	<u>968,324</u>	<u>850,074</u>

REGULAR MEETING DATED APRIL 1, 2003

TOTAL EXPENDITURES & ENDING CASH BALANCE	<u>5,720,503</u>	<u>5,809,020</u>	<u>5,809,020</u>	<u>6,406,789</u>
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The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Roberson and Guy

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE THE SUBMISSION OF FEMA FIRE ACT GRANT APPLICATION

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize the submission and authorization for Mayor to sign the FEMA Fire Act Grant Application. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Roberson and Guy

The motion was declared carried.

CONSIDER REQUEST TO FILE APPLICATION TO RURAL DEVELOPMENT

Motion was made by Council Member Watts, seconded by Council Member Bounds, to authorize the application submission and authorize the Mayor to sign application to Rural Development for essential equipment, funding of Dive Team, Hazardous materials, automated external defibrillator, thermal imaging camera, and projector for fire department. Estimated funding is federal \$63,855, local \$52,245. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members, Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Roberson and Guy

The motion was declared carried.

CONSIDER COMMUNITY DEVELOPMENT BLOCK GRANT ECONOMIC DEVELOPMENT GRANT AWARD

Motion was made by Council Member Parker, seconded by Council Member Watts, to accept the Community Development Block Grant Economic Development Grant Award from Mississippi Development Authority to construct a rail spur for Rheogistics, LLC in the amount of \$179,935 and authorize the Mayor to sign the grant agreement. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members, Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Roberson and Guy

4
REGULAR MEETING DATED APRIL 1, 2003

The motion was declared carried.

CONSIDER ADOPTION OF RESOLUTION

Motion was made by Council Member Bounds, seconded by Council Member Watts, to adopt and enforce the following resolution prohibiting the use of excessive force as required by Mississippi Development Authority:

STATE OF MISSISSIPPI
CITY OF PICAYUNE

**RESOLUTION PROHIBITING THE USE OF EXCESSIVE FORCE AND
ENFORCING APPLICABLE LAWS RELATIVE TO NONVIOLENT
CIVIL RIGHTS DEMONSTRATIONS, A COMPLIANCE
REQUIREMENT OF THE CITY OF PICAYUNE, MISSISSIPPI CDBG
ECONOMIC DEVELOPMENT GRANT AGREEMENT**

WHEREAS, the City of Picayune is the recipient of an Economic Development Grant, Subgrant Number 1119-02-297-ED-01, Grant Identifier CDBG 2002 1119, and

WHEREAS, incorporated into the Grant Agreement are General Terms and Conditions, Special Conditions, Section Three Requirements, State of Mississippi Community Development Assurances, Budget, Annex and Special Conditions Stipulated by HUD, and

WHEREAS, the Grant Award/Contract is subject to all applicable rules, regulations, conditions and assurances prescribed by the Mississippi Development Authority as well as the U.S. Department of Housing and Urban Development;

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF
COUNCILMEN/COUNCILWOMAN OF THE CITY OF PICAYUNE, MISSISSIPPI;**

THAT, the City of Picayune adopts a policy prohibiting the use of excessive force by law enforcement agencies with its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations, and said policy will be enforced and adhered to.

THAT, the City of Picayune will enforce applicable State and local laws against physically barring entrance to exit from a facility or location which is the subject of such nonviolent civil rights demonstration within its jurisdiction.

This the 1st day of April 2003.

Greg Mitchell, Mayor

ATTEST:

Nicole Dagnall, Deputy City Clerk

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members, Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Roberson and Guy

REGULAR MEETING DATED APRIL 1, 2003

The motion was declared carried.

CONSIDER APPROVAL OF SUPPLEMENTAL AGREEMENT NO. 2. FOR THE MEMORIAL BOULEVARD ROADWAY IMPROVEMENTS PROJECT

Motion was made by Council Member Bounds, seconded by Council Member Watts, to approve the following agreement and authorize the Mayor to sign:

**SUPPLEMENTAL AGREEMENT NO. 2
PARTICIPATING**

The City of Picayune in Pearl River County, Mississippi

WHEREAS WE TWIN L. CONSTRUCTION, INC. and GREENWICH INSURANCE COMPANY, Surety, entered into a contract with the City of Picayune in Pearl River County Mississippi on the 18th day of June 2002, for the construction of Surface Transportation Program Project No. STP-9601(4)/49-9601-00-004-10, Pearl River County.

WHEREAS: During the course of construction of this project it became necessary to add some items of work, increase other line items, and allow for rain delays; AND

WHEREAS: These changes, additional work, and rain delays are listed on the attached supplemental sheet(s); AND

WHEREAS: The contractor is due a time extension and monies due to field changes and rainfall related delays; AND

WHEREAS: The contract provides that the contract time may be increased for additional work on a pro rata basis on a monetary value of the added work as compared to the original contract unless it can be established that the extra work was of such character that it required more time than is indicated by the monetary value. Since contract time is being increased due to adding this work the quantities and corresponding monetary value can't be used in evaluating any time increases at the completion of the project due to overruns of the contract amount; AND

WHEREAS: The contract provides that the contract time may be increased for unforeseeable flooded essential work areas which are deemed to unavoidably prevent prosecuting the work; AND

NOW, THEREFORE: It is mutually agreed that the addition of 56 days will result in a revised completion date of April 21, 2003 with a total of 287 days. It is mutually agreed that the above stated time allowance shall be full monetary compensation for these delays and for labor, materials, and equipment used in performing this work. This agreement in no way modifies or changes the original contract of which it becomes a part, except as specifically stated herein.

WHEREAS: The Contractor has agreed to perform the work listed on the supplemental sheet(s).

No, Therefore, It is mutually agreed that the Contractor will perform the work listed on the supplemental sheet(s) for a total of \$16,033.00

Payment for the Supplemental Agreement items will be made under:

Pay Item Number	Description	Original Quantity	Revised Quantity	Unit Price	Amount Increase/Decrease
603-C-B 18"	Reinforced Concrete End Section	3	5	\$542.00	\$ 1,084
907-603-PE	24" Corrugated Polyethylene Pipe	161	180.47	\$ 18.80	\$ 366

REGULAR MEETING DATED APRIL 1, 2003

614-B	Concrete Drive-Way (With Reinforcement)	2,541	2,920	\$ 27.00	\$10,233
907-604-D	Concrete Flume Structure	19	20	\$350.00	\$ 350
907-604-D-SA	Concrete Flume	0	20	\$200.00	\$ 4,000

TOTAL INCREASE THIS SUPPLEMENTAL AGREEMENT \$16,033

NOW, THEREFORE, WE, TWIN L. CONSTRUCTION, INC. and GREENWICH INSURANCE COMPANY, Surety, hereby agree to said Supplemental Agreement consisting of the above-mentioned items and prices that are detailed on the supplemental sheet(s) and agree that this Supplemental Agreement is hereby made a part of the original contract to be performed under the specifications thereof, and that the original contract is in full force and effect, except insofar as it might be modified by this Supplemental Agreement.

Dated, this the 1st day of April 2003.

GREENWICH INSURANCE COMPANY
Surety

TWIN L. CONSTRUCTION, INC.
Contractor

By: _____

By: _____

Approved: _____
Date

By: _____
City of Picayune, Mayor

MISSISSIPPI DEPARTMENT OF TRANSPORTATION
Supplemental Sheet

PROJECT NO: STR-9601(4)/49-9601-00-004-10

COUNTY: PEARL RIVER

DETAILED EXPLANATION OF NECESSITY OF WORK INVOLVED:

1. During the course of construction it became necessary to add three (3) additional concrete driveways due to existing conditions. One driveway was added at the beginning of the project to improve the traffic movements into an existing business. One driveway was added at St. 19+50 Rt. to provide access into a Pawn Shop that was constructed after the project was let. One driveway was added at Sta. 21+00 Rt. to provide access to an existing easement for a business, which is located behind the Speedee Oil Change. In addition to adding the above driveways it became necessary to make adjustments to a few of the other driveways on the project due to existing conditions.
2. The following work needs to be performed in order to prevent future maintenance problems. The drainage pipe under the driveway at St. 15+70.44 Rt. was replaced as part of this project and did not include a flared end section at either end of the pipe. During the course of the project the soil above the pipe began to erode. In order to alleviate the problem the contractor will have to extend the pipe and install a flared end section at each end, then backfill above the pipe extending back to the driveway.
3. The following work needs to be performed in order to prevent future maintenance problems. The existing drainage pipe that runs parallel to Haugh Avenue at Sta. 19+25 Lt. has caused erosion underneath a new flared end section that was installed under this project. In order to alleviate the problem the contractor will have to

REGULAR MEETING DATED APRIL 1, 2003

remove 2' of the existing pipe and install a 45 degree HDPE fitting to direct the discharge into an existing drainage ditch to the east of the new concrete flared end section.

- 4. The following work needs to be performed in order to prevent future maintenance problems. Due to soil erosion adjacent to the flume structure, the design of the structure was revised to provide a wall along the flume. This wall will allow soil to be placed and compacted directly adjacent to the flume and decrease the potential of erosion problems.

JUSTIFICATION OF UNIT PRICES SUBMITTED:

Compared to MDOT Average Bid Prices for similar items the unit prices are determined to be acceptable.

/s/ Charles H. Hill
Project Engineer

DETAILED EXPLANATION OF DOCUMENTED RAIN DELAYS:

- 1. Due to the significant amount of storm drainage piping and structures, which were part of this contract, rainfall became a critical factor in the construction of this project. When rainfall events occurred, construction progress decreased significantly therefore causing noticeable delays. The following chart reflects the documented days in which rainfall delays were incurred:

CONTRACT DAY	CALENDAR DAY	PRECIPITATION	DAYS DELAYED
214	February 6, 2003	0.14	1
215	February 7, 2003	0.07	1
229	February 21, 2003	4.0	1
230	February 22, 2003	0.1 (4.0 Prev. Day)	1
240	March 4, 2003	(0.60 Prev. Night)	1
250	March 14, 2003	(1.20 Prev. Night)	1
251	March 15, 2003	(Soil Saturated)	1

TOTAL DAYS DELAYED 7

**MISSISSIPPI DEPARTMENT OF TRANSPORTATION
Supplemental Sheet**

PROJECT: STP-9601(4)/49-9601-00-004-10
COUNTY: PEARL RIVER

The original has been increased by Supplemental Agreements. According to Special Provision No. 907-108-11 of the Contract Documents, an adjustment of time for this altered work and rain delays is requested by the Project Engineer as follows:

The extra work was of such character that it required more time than was indicated by the money value.

The amount of additional days of each item of extra work is outlined on the supplemental sheet(s) included in this Supplemental Agreement.

Original Contract Notice to Proceed Date:	07/08/2002
Original Completion Date:	02/03/2003
Additional Calendar Days Added to Contract (SA No. 1):	21 calendar days
Additional Calendar Days Added to Contract (This SA):	56 calendar days
Revised Completion Date:	04/21/2003

TOTAL INCREASE IN CONTRACT LENGTH 77 Calendar Days

REGULAR MEETING DATED APRIL 1, 2003**MISSISSIPPI STATE HIGHWAY DEPARTMENT
SUPPLEMENTAL SHEET**

PROJECT: MEMORIAL BOULEVARD
ROADWAY IMPROVEMENTS PROJECT
PROJECT NUMBER: STP-9601(4)/49-9601-00-004-10
COUNTY: PEARL RIVER COUNTY
CITY: CITY OF PICAYUNE

DETAILED ANALYSIS OF UNIT PRICES**Improve Storm Drainage at Driveway located at Sta. 15+70.44 Right - Summary**

DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL COST
18" concrete flared end section	Each	2	\$ 542.00	\$ 1,084.00
18" corrugated Polyethylene pipe	LF	12	\$ 14.00	\$ 168.00
18" HDPE Fittings	Each	2	\$ 148.00	\$ 296.00
TOTAL				\$ 1,548.00
TOTAL DAYS DELAYED			14	

Improve Storm Drainage at Haugh Avenue and Memorial Boulevard - Summary

DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL COST
Materials, Labor & Equipment	Each	1	\$ 366.00	\$ 366.00
TOTAL				\$ 366.00
TOTAL DAYS DELAYED			7	

Additional Concrete Driveways Required - Summary

DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL COST
Concrete Driveway (w/reinf.)	Sq. Yd.	379	\$ 27.00	\$ 10,233.00
TOTAL				\$ 10,233.00
TOTAL DAYS DELAYED			11	

Concrete Flume Structures - Summary

DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL COST
Concrete Flume Structure (mod)	Each	19	\$ 200.00	\$ 3,800.00
Concrete Flume Structure (new)	Each	1	\$ 550.00	\$ 550.00
TOTAL				\$ 4,350.00
TOTAL DAYS DELAYED			17	

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson and Guy

The motion was declared carried.

At this time Council Member Roberson entered meeting.

CONSIDER REQUEST TO ADVERTISE RESOURCES OF THE CITY

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to purchase a full page ad in the Mississippi High School All Star Basketball Program in the amount of \$ 160.00 to advertise the resources of the city and to authorize the Mayor to sign a manual check for same. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Guy

The motion was declared carried.

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Roberson, seconded by Council Member Watts, to close the meeting to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Guy

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss a possible contractual matter at the Picayune Municipal Airport, to discuss relocation of a prospective business and the possible purchase of land.

ORDER TO RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Bounds, seconded by Council Member Watts, and unanimously carried, the Mayor reopened the meeting. The Mayor stated that while in executive session the Council discussed a possible contractual matter at the Picayune Municipal Airport, discussed possible relocation of a business and the possibility of purchasing land and took no action.

ORDER TO ADJOURN

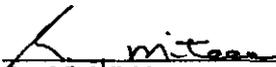
Motion was made by Council Member Bounds, seconded by Council Member Roberson, to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Guy

The motion was declared carried.



Greg Mitchell, Mayor

ATTEST:



Leann Smith, Deputy City Clerk

Void
Printer
ERROR
Miller

May 6, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, May 6, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Kathy Watts, Leavern Guy, Sr. and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Nicole Dagnall, City Attorney Nathan Farmer, Police Chief Jim Luke and Fire Chief Keith Brown.

It Being Determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Rev. Curtis Moffett of Trinity United Methodist Church, followed by the Pledge of Allegiance, led by

ORDER TO APPROVE THE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Leavern Guy, Sr., seconded by Council Member Donald Parker, to approve the minutes of the Mayor and City Council dated April 15, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Jerry Bounds

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Leavern Guy, Sr., seconded by Council Member Donald Parker, to approve the issuance of the following manual checks:

Centerpoint Energy	Utility	\$42,826.50
Gulfsouth Pipeline Co	Utility	\$11,872.96
UMC	Utility	\$ 881.24
MS Municipal Workers' Comp	General	\$41,902.50
	Utility	
	Airport	
	Cemetery	
Kathy Watts	General	\$ 65.90
Talley Contracting, Inc.	Airport	\$18,000.00

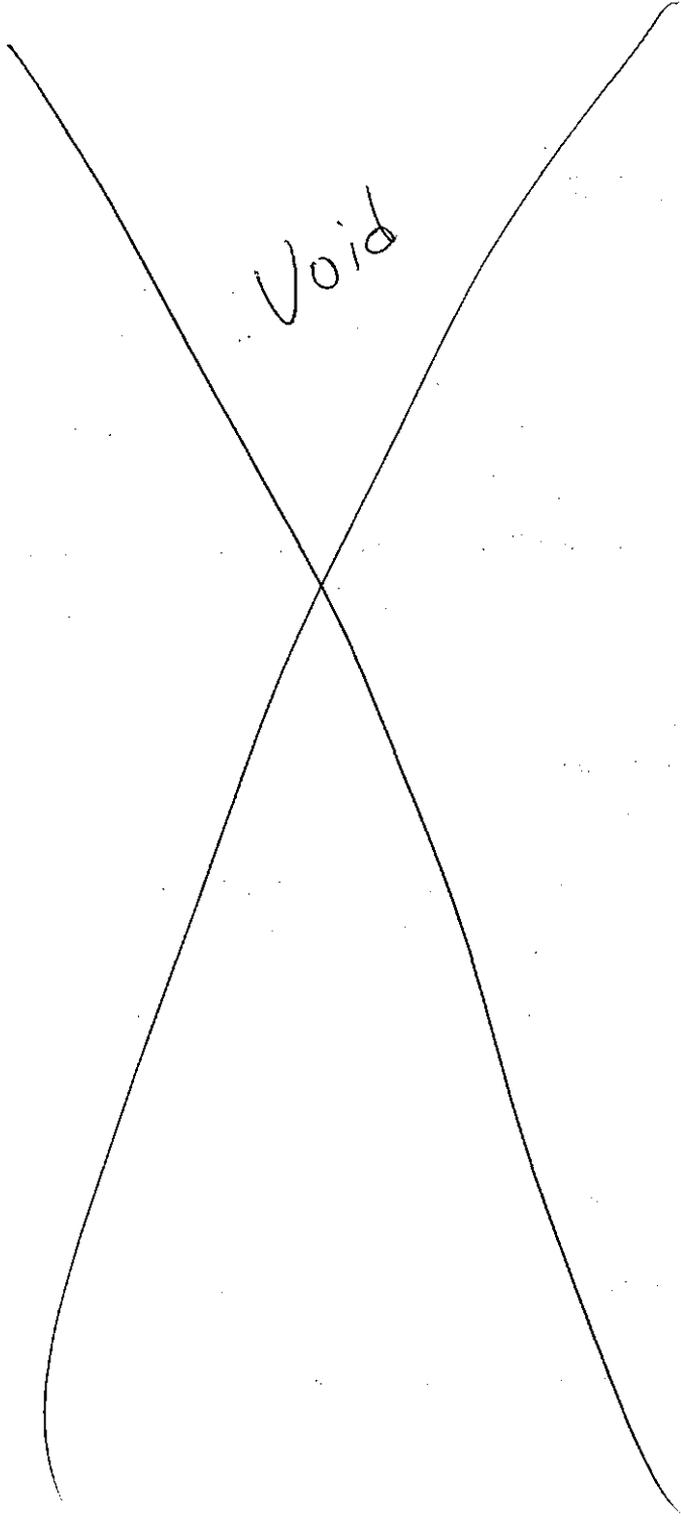
The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Jerry Bounds

Void



April 15, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, April 15, 2003 at 6:00 p.m. in regular session with the following officials present, Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Kathy Watts, and Leavern Guy, Sr. City Manager J.P. Burns, Jr., City Clerk Nicole Dagnall, City Attorney Nathan Farmer, Police Chief Jim Luke and Fire Chief Keith Brown.

It Being Determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Rev. Curtis Moffett of Trinity United Methodist Church, followed by the Pledge of Allegiance, led by Council Member Roberson

ORDER TO APPROVE THE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Leavern Guy, Sr., seconded by Council Member Donald Parker, to approve the minutes of the Mayor and City Council dated April 1, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Leavern Guy, Sr., seconded by Council Member Donald Parker, to approve the issuance of the following manual checks:

Centerpoint Energy	Utility	\$42,826.50
Gulfsouth Pipeline Co	Utility	\$11,872.96
UMC	Utility	\$ 881.24
MS Municipal Workers' Comp	General	\$41,902.50
	Utility	
	Airport	
	Cemetery	
Kathy Watts	General	\$ 65.00
Talley Contracting, Inc.	Airport	\$18,000.00

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

REGULAR MEETING DATED APRIL 15, 2003

The motion was declared carried.

ORDER TO AUTHORIZE THE MAYOR TO SIGN QUITCLAIM DEED

Motion was made by Council Member Leavern Guy, Sr., seconded by Council Member Donald Parker, to authorize the Mayor to sign a quitclaim deed for James Ira Smith. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Jerry Bounds

The motion was declared carried.

ORDER TO AUTHORIZE THE MAYOR TO VOID TAX SALE

Motion was made by Council Member Leavern Guy, Sr., seconded by Council Member Donald Parker, to authorize the Mayor to void 2000 tax sale on parcel 036c Records Requests Report for the month of March 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Jerry Bounds

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF THE RETIREMENT DEVELOPMENT ACTIVITIES REPORT

Motion was made by Council Member Leavern Guy, Sr., seconded by Council Member Donald Parker, to acknowledge receipt of the Retirement Development Activities Report for the month of March 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Jerry Bounds

The motion was declared carried.

CONSIDER REQUEST TO APPOINT HOMELAND SECURITY COORDINATOR

Upon request of the Fire Chief, motion was made by Council Member Leavern Guy, Sr., seconded by Council Member Donald Parker, to appoint Bobby Strahan as Homeland Security Coordinator for the City of Picayune. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Jerry Bounds

The motion was declared carried.

REGULAR MEETING DATED APRIL 15, 2003CONSIDER REQUEST TO AUTHORIZE CERTAIN VEHICLES AS UNMARKED

The State Auditor's office requires that all vehicles be marked with the municipal decals, unless markings would hinder official investigation. Motion was made by Council Member Leavern Guy, Sr., seconded by Council Member Donald Parker, to approve the following vehicles be unmarked because markings would hinder official police investigations:

# 191	1995 Ford Crown Vic	Vin#	2FALP71WXSX159526	George Co. 127 GEA
#192	1995 Ford Crown Vic	Vin#	2FALP71W8SX159525	Greene Co. 186 GRA
#208	1996 Ford Crown Vic	Vin#	2FALP71W4TX156557	Lamar Co. 314 LLB
#210	1996 Mercury Cougar	Vin#	1MELM62W3TH625194	Pearl River FRA 251
#218	1998 Ford Crown Vic	Vin#	2FAFP71W9WX133485	G 006491
#234	1996 Ford Crown Vic	Vin#	2FALP71W2TX186978	Pearl River 227 PRD
#265	2001 Ford Crown Vic	Vin#	2FALP71W71X180197	Pearl River FSB 766
#266	2001 Ford Crown Vic	Vin#	2FAFP71W91X180198	Pearl River 269 PRA
#267	2000 Dodge Intrepid	Vin#	2B3HD46R7YH263020	Stone Co. 264 STA

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Jerry Bounds

The motion was declared carried.

CONSIDER REQUEST TO APPROVE THE KNIGHTS OF COLUMBUS TOOTSIE ROLL DRIVE

Motion was made by Council Member Leavern Guy, Sr., seconded by Council Member Donald Parker, to approve the Knights of Columbus Tootsie Roll Drive on May 16 and 17, 2003 at the intersections of Highways 43 and 11 North and South, Wal-Mart, and East and West Canal Street at Highway 11 North. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Jerry Bounds

The motion was declared carried.

CONSIDER REQUEST TO ACCEPT MINUTES OF THE PLANNING COMMISSION

Motion was made by Council Member Leavern Guy, Sr., seconded by Council Member Donald Parker, to accept the minutes of the Planning Commission dated March 11, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Jerry Bounds

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF THE PLANNING COMMISSION MINUTES

Motion was made by Council Member Leavern Guy, Sr., seconded by Council Member Donald Parker, acknowledge receipt of the Planning Commission minutes dated April 8, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Jerry Bounds

The motion was declared carried.

CONSIDER REQUEST TO ACCEPT TWELVE OAKS SUBDIVISION

Motion was made by Council Member Leavern Guy, Sr., seconded by Council Member Donald Parker, to accept Twelve Oaks Subdivision as complete. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Jerry Bounds

The motion was declared carried.

At this time Council Member Bounds entered meeting.

CONSIDER REQUEST TO APPOINT MEMBERS TO THE PICAYUNE RECREATION ADVISORY COMMISSION

Motion was made by Council Member Leavern Guy, Sr., seconded by Council Member Lucian Roberson, to postpone the appointment for members of the Picayune Recreation Advisory Commission until the next council meeting.

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy
Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ADVERTISE FOR STREET PAVING

Motion was made by Council Member Leavern Guy, Sr., seconded by Council Member Donald Parker, to postpone the advertising for street paving until the next council meeting. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and
Bounds

VOTING NAY: None

The motion was declared carried.

REGULAR MEETING DATED APRIL 15, 2003

At this time Council Member Watts exited meeting.

CONSIDER REQUEST TO APPROVE REZONING OF PROPERTY

Motion was made by Council Member Jerry Bounds, seconded by Council Member Leavern Guy, Sr., to follow the recommendation of the Planning Commission and approve the rezoning of property located on the South side of Highway 43 North, just West of intersection of Highway 11 North and Highway 43 North owned by Mark Gibson as follows:

ORDINANCE NO. 782AN ORDINANCE TO REZONE THE FOLLOWING DESCRIBED PROPERTY FROM R-2, TWO-FAMILY RESIDENTIAL DISTRICT, TO C-3, HIGHWAY COMMERCIAL DISTRICT

Be It Ordained by the City Council of the City of Picayune, Pearl River County, Mississippi, In Meeting Duly Assembled:

SECTION 1. That the following R-2, Two-family Residential District described property shall be rezoned to C-3, Highway Commercial District:

Begin at a point that is 76.3 feet South of the Northwest corner of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 11, Township 6 South, Range 17 West. From said point of beginning run South 67 degrees East a distance of 257.88 feet; thence West a distance of 237.93 feet; thence North a distance of 99.44 feet to the point of beginning; this parcel contains 11,830.00 square feet more or less and being situated in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 11, Township 6 South, Range 17 West, City of Picayune, Pearl River County, Mississippi.

SECTION 2. Severability, Conflict and Effective Date

Should any section, clause, paragraph, provision or part of this ordinance for any reason be held invalid or unconstitutional by any court of competent jurisdiction, this act shall not affect the validity of any other section, clause, paragraph, provision or part of this ordinance. All provisions of this ordinance shall be considered separate provisions and completely severable from all other portions.

Conflict in any case where a provision of this ordinance is found to be in conflict with the provisions of any other ordinance or code of the City of Picayune, Mississippi, existing on the effective date of this ordinance, the provisions of this ordinance shall take precedence.

This ordinance shall become effective after 30 days from its passage and upon completion of the requirements specified in Section 21-13-11, Mississippi Code of 1972 as amended.

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Watts

The motion was carried.

CONSIDER REQUEST FOR HOME OCCUPATION LICENSE

Motion was made by Council Member Lucian Roberson, seconded by Council Member Jerry Bounds, to follow the recommendation of the Planning Commission to approve a home

REGULAR MEETING DATED APRIL 15, 2003

occupation license for David Burgess, 501 Bales Avenue for service of repairing and cleaning firearms. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Watts

The motion was declared carried.

CONSIDER REQUEST FOR HOME OCCUPATION LICENSE

Motion was made by Council Member Leavern Guy, Sr., seconded by Council Member Jerry Bounds, to follow the recommendation of the Planning Commission to approve a home occupation license for David Allen, 120 Arbor Gate Circle, for a janitorial service, no stock in trade. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Watts

The motion was declared carried.

At this time Council Member Watts entered meeting.

CONSIDER REQUEST FOR HOME OCCUPATION LICENSE

Motion was made by Council Member Leavern Guy, Sr., seconded by Council Member Jerry Bounds, to follow the recommendation of the Planning Commission to approve a home occupation license for Jason Woodcock to operate a computer service business from his home at 1219 Stemwood Drive, no stock in trade. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR CONDITIONAL USE

Motion was made by Council Member Leavern Guy, Sr., seconded by Council Member Jerry Bounds, to follow the recommendation of the Planning Commission to approve the request for conditional use of property located at 1911 Read Road, formerly used by Jehovah Witness Church, to be used as an orthopedic clinic for Dr. Thomas Purser. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

REGULAR MEETING DATED APRIL 15, 2003CONSIDER REQUEST FOR CONDITIONAL USE

Motion was made by Council Member Donald Parker, seconded by Council Member Leavern Guy, Sr., to follow the recommendation of the Planning Commission to approve the request for conditional use of property located at 815 Williams Avenue as a day car center. A conditional use was issued for previous owner. This conditional use is in the name of Nora Morgan. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR 8 FOOT FRONT YARD VARIANCE

Motion was made by Council Member Jerry Bounds, seconded by Council Member Lucian Roberson, to follow the recommendation of the Planning Commission to approve a request for an 8 foot front yard variance for Phillip Seals, 200 Seal Street in order to add on to his existing building. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR MODULAR BUILDING IN C-3 ZONE

Motion was made by Council Member Lucian Roberson, seconded by Council Member Jerry Bounds, to follow the recommendation of the Planning Commission to approve a modular building at 4189 Highway 11 North to be occupied by Catfish One Restaurant, which is carry out only. Contingent on approval of Site Plan Review Approval. Committee The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO CHANGE STREET NAME

Motion was made by Council Member Jerry Bounds, seconded by Council Member Lucian Roberson, to follow the recommendation of the Planning Commission to deny the request of the Trustees and Membership of Victory Temple Church to change the name of Rester Street to Victory Temple Street. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Bounds

VOTING NAY: None

ABSTAINED AND NOT VOTING Council Member Guy

*Printer error
Name*

The motion was declared carried.

~~**ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION**~~

~~ATTEST:~~

~~Motion was made by Council Member Lucian Roberson, seconded by Council Member Jerry Bounds, to enter closed session to determine the need for an executive session. The following roll call vote was taken:~~

~~VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds~~

~~VOTING NAY: None~~

~~The motion was declared carried.~~

~~Motion was made by Council Member Lucian Roberson, seconded by Council Member Jerry Bounds, to enter executive session to discuss the possible purchase of gas inventory from GEO Resources, discussion of memorandum of understanding with Partners for Pearl River County and discussion of personnel matters with the Police Department. The following roll call vote was taken:~~

~~VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds~~

~~VOTING NAY: None~~

~~The motion was declared carried.~~

~~The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss the possible purchase of gas inventory from GEO Resources, discussion of memorandum of understanding with Partners for Pearl River County and discussion of personnel matters with the Police Department.~~

~~At this time Council Members Parker and Guy exited meeting.~~

~~**RETURN TO REGULAR SESSION**~~

~~At the conclusion of executive session, upon motion of Council Member Lucian Roberson seconded by Council Member Jerry Bounds, and unanimously carried, the Mayor reopened the meeting. The Mayor stated that in executive session no action was taken on the possible purchase of gas inventory from GEO Resources, memorandum of understanding with Partners for Pearl River County or personnel matters with the Police Department.~~

~~**ORDER TO ADJOURN**~~

~~Motion was made by Council Member Lucian Roberson and seconded by Council Member Jerry Bounds, to adjourn. The following roll call vote was taken:~~

~~VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, and Bounds~~

~~ABSENT AND NOT VOTING Council Members Guy and Parker~~

~~VOTING NAY: None~~

~~The motion was declared carried.~~

REGULAR MEETING DATED APRIL 15, 2003

The motion was declared carried.

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Lucian Roberson, seconded by Council Member Jerry Bounds, to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

Motion was made by Council Member Lucian Roberson, seconded by Council Member Jerry Bounds, to enter executive session to discuss the possible purchase of gas inventory from GEO Resources, discussion of memorandum of understanding with Partners for Pearl River County and discussion of personnel matters with the Police Department. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss the possible purchase of gas inventory from GEO Resources, discussion of memorandum of understanding with Partners for Pearl River County and discussion of personnel matters with the Police Department.

At this time Council Members Parker and Guy exited meeting.

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Lucian Roberson seconded by Council Member Jerry Bounds, and unanimously carried, the Mayor reopened the meeting. The Mayor stated that in executive session no action was taken on the possible purchase of gas inventory from GEO Resources, memorandum of understanding with Partners for Pearl River County or personnel matters with the Police Department.

ORDER TO ADJOURN

Motion was made by Council Member Lucian Roberson and seconded by Council Member Jerry Bounds, to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, and Bounds

ABSENT AND NOT VOTING Council Members Guy and Parker

VOTING NAY: None

The motion was declared carried.

Greg Mitchell
Greg Mitchell, Mayor

ATTEST:

Leann Smith
Leann Smith, Deputy City Clerk

May 6, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, May 6, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Kathy Watts, Leavern Guy, Sr. and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Nicole Dagnall, Deputy Clerk, Leann Smith, City Attorney Nathan Farmer, and Fire Chief Keith Brown.

It Being Determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance, led by: Council Member Jerry Bounds

ORDER TO REMOVE ITEMS FROM CONSENT AGENDA

Motion was made by Council Member Roberson, seconded by Council Member Watts, to remove request to select Municipal Depositories and request to consider holding public hearing for property cleanup at 1001 Palestine Road from consent agenda and discuss at a later time. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Bounds and Guy

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE THE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Jerry Bounds, seconded by Council Member Lucian Roberson, to approve the minutes of the Mayor and City Council dated April 15, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Bounds and Guy

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Jerry Bounds, seconded by Council Member Lucian Roberson, to approve the issuance of the following manual checks:

City of Picayune General Fund	Utility	NTE	\$52,000.00
MS State Tax Commission	Utility	NTE	\$ 6,000.00
State of Mississippi, Dept. of Transportation	General		\$65,410.33

The following roll call vote was taken:

REGULAR MEETING DATED MAY 6, 2003

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Bounds and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE THE MAYOR TO SIGN QUITCLAIM DEED

Motion was made by Council Member Jerry Bounds, seconded by Council Member Lucian Roberson, to authorize the Mayor to sign a quitclaim deed for James Ira Smith. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Bounds and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO VOID TAX SALE

Motion was made by Council Member Jerry Bounds, seconded by Council Member Lucian Roberson, to authorize the Mayor to void 2000 tax sale on parcel 036U-0-23-008.000 for Picayune Separate School District taxes due to Homestead Exemption error and refund Advantage 99 tax sale amount of \$667.88. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Bounds and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO VOID TAX SALE

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to authorize the Mayor to void 2000 tax sale on parcel 617-839-000-02-032 per Pearl River County and refund tax sale amount of \$142.41 to Advantage 99. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Bounds and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO SET PUBLIC HEARING FOR 709 WEEMS STREET

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to approve the hearing date of June 3, 2003 for property cleanup at 709 Weems Street: Owner- Ms. Linda Burnett c/o Lena Mae Burnett. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Bounds and Guy

REGULAR MEETING DATED MAY 6, 2003

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO SET PUBLIC HEARING FOR 422 NORTH CURRAN AVENUE

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to approve the hearing date of June 3, 2003 for property cleanup at 422 North Curran Avenue: Owner-Myron Richard Hopgood. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Bounds and Guy

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE DOCKET

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to approve the docket for the month of April 2003 in the amount of \$505,717.65. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINED AND NOT VOTING: Council Member Watts

The motion was declared carried.

PETITIONS AND COMMUNICATIONS

At this time a presentation by Angela Kothmann from The Blood Center was given to the Mayor and Council. No action was taken.

IN THE MATTER OF COMMENDING REBECCA BULLARD

City Manager, J.P. Burns, Jr. read the following Commendation to Rebecca Bullard for her outstanding community service:

COMMENDATION

However effective government may be in serving the needs of its citizens, the soul of our city and its vitality as a place to live and work depend on the relationship of families, friends and neighbors.

Strengthening those bonds is not as much in the hands of institutions or governments as it is in the hearts of the people - individuals who volunteer to help people of all ages, races and religions cope with illnesses, overcome hardships and barriers, adjust to social changes, and fulfill their potential. These volunteers are the unrecognized, unsung heroes of our society.

Rebecca Bullard, recently named as one of our state's top honorees in The Prudential Spirit of Community Awards program, exemplifies the value of volunteer community service, and is a role model to other youth as well as adults in our city.

A surprising number of volunteers in communities across the nation are like Rebecca Bullard, a student contributing time without expectation of reward, other than the

REGULAR MEETING DATED MAY 6, 2003

gratification that comes from helping others. Some of these young people work in established groups; others seek new and unique ways to help others on their own.

Recognizing these young volunteers and encouraging others to follow their example is the aim of this nationwide program conducted by Prudential Financial and the National Association of Secondary School Principals. Its aim is to reach into every city, in all 50 states, the District of Columbia and Puerto Rico, to identify and honor these unsung heroes locally, state-by-state, and then nationally, in the hopes that their recognition will serve to stimulate others to volunteer service.

GREG MITCHELL, Mayor

LUCIAN ROBERSON, Council Member

DONALD PARKER, Council Member

KATHY H. WATTS, Council Member

LEAVERN GUY, SR, Council Member

JERRY BOUNDS, Council Member

No action taken.

At this time Council Member Parker exited the meeting.

CONSIDER REQUEST TO APPOINT MEMBERS TO THE PICAYUNE RECREATION ADVISORY COMMISSION

Motion was made by Council Member Bounds and seconded by Council Member Guy, to appoint the following members of the Picayune Recreation Advisory Commission:

Martin Berry, Jud Egle, Ike Stewart, Ludwick Lohnes, Troy Foster, Jr., Jim Smith, Brian Dickens, Donald Balch, and Don Griffith. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, and Guy
Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

The motion was declared carried.

CONSIDER REQUEST TO APPOINT AND/OR RE-APPOINT SIX MEMBERS OF THE PRIDE STEERING COMMITTEE

Motion was made by Council Member Bounds, seconded by Council Member Guy, to appoint and/or re-appoint Shelia Wallace, Marvin Foxworth, Vienna Snodgrass, and Police Chief Jim Luke all to a three year term on the Pride Steering Committee. Elder Simmons and Kristen Hartford will be replaced at the May 16, 2003 council meeting. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, and Guy
Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

The motion was declared carried.

REGULAR MEETING DATED MAY 6, 2003CONSIDER REQUEST TO ADVERTISE FOR STREET PAVING

Motion was made by Council Member Guy, seconded by Council Member Bounds, to postpone the advertising for street paving until the next council meeting. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

The motion was declared carried.

CONSIDER REQUEST TO ACCEPT ANNUAL FINANCIAL REPORT

Motion was made by Council Member Bounds, seconded by Council Member Guy to accept the Annual Financial Report for the year ended September 30, 2002. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

The motion was declared carried.

At this time Council Member Bounds exited the meeting.

CONSIDER REQUEST TO AUTHORIZE MAYOR TO SIGN AGREEMENT WITH WINWARD GROUP, LLC

Motion was made by Council Member Guy, seconded by Council Member Roberson, to authorize the Mayor to sign the agreement with the Winward Group, LLC to provide electronic image scanning services for the City of Picayune's City Council meeting minutes books. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker and Bounds

The motion was declared carried.

At this time Council Member Bounds re-entered the meeting.

CONSIDER REQUEST TO APPROVE BUDGET AMENDMENT #4 FOR THE YEAR ENDING SEPTEMBER 30, 2002

Motion was made by Council Member Guy, seconded by Council Member Bounds, to approve budget amendment #4 for the year ending September 30, 2003 as follows, to-wit:

CITY OF PICAYUNE-GENERAL FUND FUND 001
 PROPOSED BUDGET AMENDMENT #4
 FOR THE YEAR ENDING 9/30/03 2002-2003

REVENUES:	BUDGET	AMEND #1	AMEND #2	AMEND #3	AMEND #4
LICENSE & PERMITS	375,000	375,000	375,000	375,000	375,000
INTERGOVERNMENTAL REVENUES	3,112,000	3,252,851	4,156,151	4,190,465	4,190,465
CHARGES FOR SERVICES	606,000	606,000	606,000	606,000	606,000
FINES & FORFEITS	340,000	340,000	340,000	340,000	340,000
MISCELLANEOUS	12,000	12,000	12,000	12,000	12,000
TRANSFERS IN	1,840,000	350,000	350,000	350,000	350,000
INTEREST INCOME	41,000	41,000	41,000	41,000	41,000
NON-REVENUE RECEIPTS	0	100	200	2,999	2,999
TOTAL FROM ALL SOURCES,					
OTHER THAN TAXES	6,326,000	4,976,751	5,980,351	5,917,464	5,917,464
BEGINNING CASH	2,052,409	3,599,499	3,599,499	3,599,499	3,599,499
TOTAL RECEIPTS OTHER	8,378,409	8,576,250	9,479,850	9,516,963	9,516,963
THAN AD VALOREM TAX					
AMOUNT TO BE RAISED BY					
AD VALOREM TAX	1,489,000	1,489,000	1,489,000	1,489,000	1,489,000
TOTAL FROM ALL SOURCES	9,867,409	10,065,250	10,968,850	11,005,963	11,005,963

EXPENSES:

GENERAL GOVERNMENT

PERSONNEL	903,642	903,642	903,642	903,642	903,642
SUPPLIES	35,850	35,850	35,850	35,850	35,850
OTHER SERVICES & CHARGES	471,300	481,300	481,300	481,300	481,300
CAPITAL OUTLAYS	73,000	73,000	73,000	73,000	73,000
TOTAL	1,483,792	1,493,792	1,493,792	1,493,792	1,493,792

PUBLIC SAFETY - POLICE

PERSONNEL	1,664,697	1,664,697	1,664,697	1,664,697	1,664,697
SUPPLIES	143,525	143,525	143,625	139,424	139,424
OTHER SERVICES & CHARGES	178,150	178,150	178,150	171,100	171,100
CAPITAL OUTLAYS	136,800	136,800	141,800	148,300	148,300
TOTAL	2,123,172	2,123,172	2,128,272	2,123,521	2,123,521

PUBLIC SAFETY - FIRE

PERSONNEL	1,272,858	1,272,858	1,272,858	1,272,858	1,272,858
SUPPLIES	56,750	56,850	56,850	58,100	58,100
OTHER SERVICES & CHARGES	62,900	67,850	67,850	67,850	67,850
CAPITAL OUTLAYS	597,500	597,500	597,500	597,500	597,500
TOTAL	1,990,008	1,996,058	1,996,058	1,996,308	1,996,308

CITY OF PICAYUNE-GENERAL FUND
 PROPOSED BUDGET AMENDMENT #4
 FOR THE YEAR ENDING 9/30/03

FUND 001
 2001-2002

CONTINUED

EXPENSES:

	<u>BUDGET</u>	<u>AMEND #1</u>	<u>AMEND #2</u>	<u>AMEND #3</u>	<u>AMEND #4</u>
<u>PUBLIC WORKS</u>					
PERSONNEL	851,354	851,354	851,354	851,354	867,054
SUPPLIES	261,100	261,100	261,100	261,100	261,100
OTHER SERVICES & CHARGES	855,250	855,250	855,250	855,250	855,250
CAPITAL OUTLAYS	742,075	882,726	1,779,726	1,779,726	1,742,226
TOTAL	2,709,779	2,850,430	3,747,430	3,747,430	3,725,630
<u>CULTURE & RECREATION</u>					
PERSONNEL	0	0	0	0	0
SUPPLIES	2,300	2,300	2,300	2,300	2,300
OTHER SERVICES & CHARGES	10,000	10,000	10,000	10,000	10,000
CAPITAL OUTLAYS	12,000	12,000	16,000	16,000	53,500
TOTAL	24,300	24,300	28,300	28,300	65,800
COST OF LIVING RAISES	234,000	234,000	234,000	234,000	234,000
AID TO OTHER GOVERNMENTS	45,425	45,425	45,425	45,425	45,425
TRANSFERS OUT	372,800	373,599	373,599	373,599	369,020
ENDING CASH BALANCE	884,133	925,474	922,974	963,588	932,467
TOTAL EXPENDITURES & ENDING					
CASH BALANCE	9,667,409	10,065,250	10,968,650	11,005,963	11,005,963

CITY OF PICAYUNE FUND 120
 CDBG RAIL SPUR GRANT
 PROPOSED BUDGET AMEND 2002-2003
 FOR THE YEAR ENDING 9/30/03

	ORIGINAL				
	BUDGET	AMEND #1	AMEND #2	AMEND #3	AMEND #4
REVENUES:					
GRANT REVENUE	0	0	0	0	179,935
TRANSFER IN FROM C	0	0	0	0	15,421
INTEREST INCOME	0	0	0	0	0
TOTAL REVENUES	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>195,356</u>
BEGINNING CASH	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL FROM ALL SOL	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>195,356</u>
EXPENSES:					
SUPPLIES	0	0	0	0	0
OTHER SERVICES	0	0	0	0	0
CAPITAL OUTLAYS	0	0	0	0	195,356
ENDING CASH BALAN	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL EXPENSES & ENDING CASH BALANCE	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>195,356</u>

CITY OF PICAYUNE FUND 406
 CEMETERY FUND
 PROPOSED BUDGET AMEND 2002-2003
 FOR THE YEAR ENDING 9/30/03

	ORIGINAL	N/C		N/C	
	BUDGET	TEND #1	TEND #2	TEND #3	TEND #4
REVENUES:					
RECORDING FEES	0	0	0	0	0
SALE OF LOTS	25,000	25,000	25,000	25,000	25,000
INTEREST INCOME	6,200	6,200	6,200	6,200	6,200
MISCELLANEOUS INC	0	0	0	0	0
TRANSFERS IN-FROM	57,000	57,000	57,000	57,000	57,000
TOTAL REVENUES	88,200	88,200	88,200	88,200	88,200
BEGINNING CASH	301,563	310,067	310,067	310,067	310,067
TOTAL FROM ALL SOL	389,763	398,267	398,267	398,267	398,267

EXPENSES:					
PERSONNEL	94,167	94,167	94,167	94,167	94,167
SUPPLIES	13,400	13,400	13,400	13,400	11,400
OTHER SERVICES	4,900	4,900	4,900	4,900	6,900
CAPITAL OUTLAYS	24,500	24,500	24,500	24,500	24,500
ENDING CASH BALAN	252,796	261,300	261,300	261,300	261,300

TOTAL EXPENSES & ENDING CASH BALANCE	389,763	398,267	398,267	398,267	398,267
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CITY OF PISCATAWAY
 FOR BUDGET YEAR ENDING 9/30/03
 BUDGET JOURNAL ENTRIES FOR BUDGET AMEND #4

GL ACCT NUMBER	DESCRIPTION	DEBIT	CREDIT
GENERAL FUND			
001-520-900.30	TRANSFER TO CDBG RAILSPUR DECREASE TO ENDING CASH	\$15,421	\$15,421
	BUDGET CITY PORTION OF NEW CDBG RAILSPUR		
001-201-430	SALARIES	\$12,047	
001-201-490	RETIREMENT	\$1,175	
001-201-470	FICA-CITY'S SHARE	\$622	
001-201-480	GROUP INSUR-CITY'S SHARE	\$1,857	
	DECREASE ENDING CASH		\$15,700
		\$15,700	\$15,700
	ADJUST FOR NEW POSITION (DUDE & SHANE)		
001-300-720	IMPROV OTHER THAN BLDG		
001-203-710.01	CITY HALL PAINTING		
	TRANSFER BALANCE OF CITY HALL PAINTING TO PARKS		
CDBG RAILSPUR FUND			
120-000-253.04	CDBG RAILSPUR GRANT REVENUE		\$179,835
120-000390.01	TRANSFER FROM GENERAL		\$15,421
120-610-758.10	ENGINEERING	\$15,421	
120-610-758.20	ADMINISTRATION	\$16,358	
120-610-758.50	CONTINGENCIES	\$12,114	
120-610-758.60	RAILSPUR CONSTRUCTION	\$151,483	
		\$195,356	\$195,356
	BUDGET FOR NEW FUND		
CEMETERY FUND			
406-205-600.01	PROFESSIONAL SERVICES	\$2,000	
406-205-561.03	SAND, GRAVEL, & FILL DIRT		\$2,000
	REALLOCATE BUDGET		

REGULAR MEETING DATED MAY 6, 2003

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Guy and Bounds

VOTING NAY: Council Members Roberson and Watts

ABSENT AND NOT VOTING Council Member Parker

Motion did not carry.

CONSIDER DATE FOR PUBLIC MEETING FOR THE CITY'S PROPOSED COMPREHENSIVE PLAN

Motion was made by Council Member Roberson, seconded by Council Member Watts, to approve setting May 13, 2003 at 6:00 p.m. for public meeting for the development of the City's Proposed Comprehensive Plan. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Guy Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING Council Member Parker

The motion was declared carried.

CONSIDER REQUEST FOR PUBLIC HEARING FOR 1001 PALESTINE ROAD

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to declare property located at 1001 Palestine Road (Owner-Nicholas Eric Smith) a public nuisance and to hold a public hearing for property cleanup. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Jerry Bounds

The motion was declared carried.

CONSIDER REQUEST FROM CARRIERE VOLUNTEER FIRE DEPARTMENT

Motion was made by Council Member Guy, seconded by Council Member Roberson, to accept loan of Rescue Randy manikin from Carriere Volunteer Fire Department. The following roll call vote was taken

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

The motion was declared carried.

At this time Mayor Greg Mitchell exited the meeting.

CONSIDER REQUEST TO SELECT MUNICIPAL DEPOSITORIES

REGULAR MEETING DATED MAY 6, 2003

Motion was made by Council Member Lucian Bounds, seconded by Council Member Roberson, to award the request of Municipal Depositories to Hancock Bank, The First National Bank of South Mississippi, and BankPlus, with no monies being deposited into First National Bank of South Mississippi while Mayor Mitchell sits on board. of said bank. The following roll call vote was taken:

VOTING YEA: Council Members Roberson, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING Mayor Mitchell and Council Member Parker

The motion was declared carried.

At this time Mayor Greg Mitchell returned to meeting.

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Roberson, seconded by Council Member Bounds to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

The motion was declared carried.

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to enter executive session to discuss the possible purchase of property, contractual matters on Friendship Park, additional personnel authorized to sign checks, potential litigation matter relative to Majestic Inn, possible purchase of land on East canal, purchase of utility system, and contractual matters with Partners for Pearl River County. The following roll call vote was taken.

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss. the possible purchase of property, contractual matters on Friendship Park, additional personnel authorized to sign checks, potential litigation matter relative to Majestic Inn, possible purchase of land on East canal, purchase of utility system, and contractual matters with Partners for Pearl River County

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Roberson seconded by Council Member Bounds, and unanimously carried, the Mayor reopened the meeting. The Mayor stated that in executive session and upon motion of Council Member Roberson, seconded by Council Member Bounds the Mayor was authorized to sign Railroad Grade Crossing Closure Fund Agreement. No action was taken on the possible purchase of

REGULAR MEETING DATED MAY 6, 2003

property - Neal Schaffer and no action was taken with contractual matters on Friendship Park. Upon motion of Council Member Roberson seconded by Council Member Guy, and unanimously carried, Council Member Jerry Bounds was authorized to sign checks. *At this time Council Member Watts exited the meeting.* No action was taken on potential litigation matter relative to Majestic Inn. A motion was made by Council Member Guy, seconded by Council Member Robinson to table the possible purchase of land on East Canal until the next council meeting, May 20, 2003, and no action was taken on purchase of utility system and contractual matters with Partners for Pearl River County.

ORDER TO ADJOURN

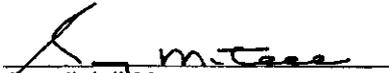
Motion was made by Council Member Roberson and seconded by Council Member Bounds, to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Guy, and Bounds

ABSENT AND NOT VOTING: Council Members Parker and Watts

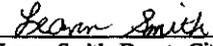
VOTING NAY: None

The motion was declared carried.



Greg Mitchell, Mayor

ATTEST:



Leann Smith, Deputy City Clerk

May 20, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, May 20, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Leavern Guy, Sr. City Manager J.P. Burns, Jr., Deputy City Clerk Leann Smith, City Attorney Nathan Farmer, Chief Jim Luke and Chief Keith Brown.

It being determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Reverend Jervis O. Burns; Jr. of St. Francis Academy followed by the Pledge of Allegiance led by Council Member Roberson

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Guy, seconded by Council Member Roberson, to approve the minutes of the Mayor and City Council dated May 6, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Watts and Bounds

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY BUDGET REPORTS

Motion was made by Council Member Guy, seconded by Council Member Roberson, to acknowledge receipt of the Monthly Budget Reports for the month of April 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PUBLIC RECORD REQUESTS REPORT

Motion was made by Council Member Guy, seconded by Council Member Roberson, to acknowledge receipt of the Monthly Public Record Requests Report for the month of April 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

REGULAR MEETING DATED MAY 20, 2003**VOTING NAY:** None**ABSENT AND NOT VOTING:** Council Member Watts and Bounds

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Roberson, to approve the issuance of the following manual checks:

Centerpoint Energy	Utility	\$23,715.00
Gulfsouth Pipeline Co	Utility	\$ 9,206.14
UMC	Utility	\$ 719.08
United States Post Office	Utility	NTE \$ 700.00
Barbara McGrew	General	\$ 322.00
Reggie Oliver	Utility	\$ 322.00
MBC-LEO	General	\$ 150.00

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy**VOTING NAY:** None**ABSENT AND NOT VOTING:** Council Member Watts and Bounds

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF PRIVILEGE LICENSE REPORTS

Motion was made by Council Member Guy, seconded by Council Member Roberson, to acknowledge receipt of the Privilege License Reports for the month of April 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy**VOTING NAY:** None**ABSENT AND NOT VOTING:** Council Member Watts and Bounds

The motion was declared carried.

CONSIDER REQUEST TO ADVERTISE THE RESOURCES OF THE CITY

Motion was made by Council Member Guy, seconded by Council Member Roberson to advertise the resources of the city by purchasing a \$200.00 ad in the Picayune Touchdown Club Football Program and issue a manual check. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy**VOTING NAY:** None**ABSENT AND NOT VOTING:** Council Member Watts and Bounds

The motion was declared carried.

REGULAR MEETING DATED MAY 20, 2003CONSIDER REQUEST TO AUTHORIZE MAYOR TO SIGN QUITCLAIM DEED

Motion was made by Council Member Guy, seconded by Council Member Roberson, to authorize Mayor's signature on Quitclaim Deed for 1995-1999 taxes. Parcel 617-614-001-03-40-00 in the name of Leila Staten. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE THE MAYOR, COUNCIL AND CITY MANAGER TO ATTEND MML CONFERENCE

Motion was made by Council Member Guy, seconded by Council Member Roberson, to authorize the Mayor, Council and City Manager to attend the MML 72nd annual conference during the period of June 29, 2003 through July 3, 2003 and to authorize a manual check in the amount of \$1,575.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

The motion was declared carried.

CONSIDER ACCEPTANCE OF THE PLANNING COMMISSION MINUTES

Motion was made by Council Member Guy, seconded by Council Roberson, to accept the minutes of the Planning Commission dated April 8, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

The motion was declared carried.

CONSIDER ACKNOWLEDGING RECEIPT OF PLANNING COMMISSION MINUTES

Motion was made by Council Member Guy, seconded by Council Member Roberson, to acknowledge receipt of the Planning Commission minutes dated May 15, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

The motion was declared carried.

REGULAR MEETING DATED MAY 20, 2003IN THE MATTER OF PICAYUNE PIRANHA AQUATIC CLUB

At this time members of the Picayune Piranha Aquatic Club addressed the Council by giving a report of the teams progress and thanked the entire council for all funds donated to help their success.

No official action was taken

CONSIDER REQUEST TO ADVERTISE FOR STREET PAVING

Motion was made by Council Member Guy, seconded by Council Member Parker, to postpone the decision for the advertising for street paving until the next council meeting, May 23, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

The motion was declared carried.

CONSIDER REQUEST TO ADVERTISE THE RESOURCES OF THE CITY

Motion was made by Council Member Guy, seconded by Council Member Roberson to advertise the resources of the city by purchasing a \$500.00 ad for the Picayune Memorial High School Forensics Team and to issue a manual check. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

The motion was declared carried.

CONSIDER REQUEST FOR MAYOR TO SIGN AGREEMENT BETWEEN THE CITY AND AVL, PLLC

Motion was made by Council Member Roberson, seconded by Council Member Guy, to authorize the Mayor to sign agreement for single audit between the City and AVL, PLLC. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

The motion was declared carried.

CONSIDER REQUEST TO APPROVE BUDGET AMENDMENT #4 FOR THE YEAR ENDING SEPTEMBER 30, 2003

Motion was made by Council Member Guy, seconded by Council Member Parker to postpone the decision of budget amendment #4 for the year ending September 30, 2003 until the next council meeting, May 23, 2003 as follows to-wit:



April 24, 2003

Honorable Mayor and City Manager
City of Picayune, Mississippi
203 Goodyear Boulevard
Picayune, Mississippi 39466

We are pleased to confirm our understanding of the services we are to provide the City of Picayune, Mississippi for the year ended September 30, 2003. We will audit the basic financial statements of the City of Picayune, Mississippi as of and for the year ended September 30, 2003. We understand that the financial statements will be presented in accordance with the financial reporting model described in GASB Statement No. 34. Also, the document we submit to you will include the following additional information that will be subjected to the auditing procedures applied in our audit of the financial statements:

1. Management's Discussion and Analysis
2. Budgetary Comparison Schedule
3. Combining Statements and Individual Fund Schedules
4. Schedule of Reconciliation of Original Ad Valorem Tax Rolls to Fund Collections
5. Schedule of Long-Term Debt
6. Schedule of Surety Bonds for City Officials
7. Schedule of Expenditures of Federal Awards

Audit Objectives

The objective of our audit is the expression of an opinion as to whether your financial statements are fairly presented, in all material respects, in conformity with accounting principles generally accepted in the United States of America and to report on the fairness of the additional information referred to in the first paragraph when considered in relation to the financial statements taken as a whole. The objective also includes reporting on—

- Internal control related to the financial statements and compliance with laws, regulations, and the provisions of contracts or grant agreements, noncompliance with which could have a material effect on the financial statements in accordance with Government Auditing Standards.
- Internal control related to major programs and an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations.

The reports on internal control and compliance will each include a statement that the report is intended for the information and use of the audit committee, if applicable, management, specific legislative or regulatory bodies, federal awarding agencies, and if applicable, pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Our audit will be conducted in accordance with U.S. generally accepted auditing standards; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of OMB Circular A-133, and will include tests of accounting records, a determination of major program(s) in accordance with Circular A-133, and other procedures we consider necessary to enable us to express such an opinion and to render the required reports. If our opinion on the financial statements or the Single Audit compliance opinion is other than unqualified, we will fully discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed an opinion, we may decline to express an opinion or to issue a report as a result of this engagement.

Management Responsibilities

Management is responsible for establishing and maintaining internal control and for compliance with the provisions of contracts, agreements, and grants. In fulfilling this responsibility, estimates and judgments by management are required to assess the expected benefits and related costs of the controls. The objectives of internal control are to provide management with reasonable, but not absolute, assurance that assets are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorizations and recorded properly to permit the preparation of financial statements in accordance with generally accepted accounting principles, and that federal award programs are managed in compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is responsible for making all financial records and related information available to us. We understand that you will provide us with such information required for our audit and that you are responsible for the accuracy and completeness of that information. We will advise you about appropriate accounting principles and their application and will assist in the preparation of your financial statements, including the schedule of expenditures of federal awards, but the responsibility for the financial statements remains with you. That responsibility includes the establishment and maintenance of adequate records and effective internal control over financial reporting and compliance, the selection and application of accounting principles, and the safeguarding of assets. Management is responsible for adjusting the financial statements to correct material misstatements and for confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. You are responsible for the design and

implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the City involving (a) management, (b) employees who have significant roles in internal control, and (c) others where the fraud could have a material effect on the financial statements. You are also responsible for informing us of your knowledge of any allegations of fraud or suspected fraud affecting the City received in communications from employees, former employees, regulators, or others. In addition, you are responsible for identifying and ensuring that the City complies with applicable laws and regulations. Additionally, as required by OMB Circular A-133, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan. The summary schedule of prior audit findings should be available for our review during the audit.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from errors, fraudulent financial reporting, misappropriation of assets, or violations of laws or governmental regulations that are attributable to the City or to acts by management or employees acting on behalf of the City. As required by the Single Audit Act Amendments of 1996 and OMB Circular A-133, our audit will include tests of transactions related to major federal award programs for compliance with applicable laws and regulations and the provisions of contracts and grant agreements. Because an audit is designed to provide reasonable, but not absolute assurance and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform you of any material errors and any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform you of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in our reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to matters that might arise during any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will also require certain written representations from you about the financial statements and related matters.

Honorable Mayor and City Manager
City of Picayune, Mississippi
April 24, 2003
Page 4

Audit Procedures—Internal Controls

In planning and performing our audit, we will consider the internal control sufficient to plan the audit in order to determine the nature, timing, and extent of our auditing procedures for the purpose of expressing our opinion on the City of Picayune, Mississippi's financial statements and on its compliance with requirements applicable to major programs.

We will obtain an understanding of the design of the relevant controls and whether they have been placed in operation, and we will assess control risk. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Tests of controls are required only if control risk is assessed below the maximum level. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by OMB Circular A-133, we will perform tests of controls to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to OMB Circular A-133.

An audit is not designed to provide assurance on internal control or to identify reportable conditions. However, we will inform the governing body or audit committee of any matters involving internal control and its operation that we consider to be reportable conditions under standards established by the American Institute of Certified Public Accountants. Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the internal control that, in our judgement, could adversely affect the City's ability to record, process, summarize, and report financial data consistent with the assertions of management in the financial statements. We will also inform you of any nonreportable conditions or other matters involving internal control, if any, as required by OMB Circular A-133.

Audit Procedures—Compliance

Our audit will be conducted in accordance with the standards referred to in the section titled Audit Objectives. As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City of Picayune, Mississippi's compliance with applicable laws and regulations and the provisions of contracts and agreements, including grant agreements. However, the objective of those procedures will not

Honorable Mayor and City Manager
City of Picayune, Mississippi
April 24, 2003
Page 5

be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

OMB Circular A-133 requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major programs. Our procedures will consist of the applicable procedures described in the *OMB Circular A-133 Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the City of Picayune, Mississippi's major programs. The purpose of those procedures will be to express an opinion on the City of Picayune, Mississippi's compliance with requirements applicable to major programs in our report on compliance issued pursuant to OMB Circular A-133.

Audit Administration, Fees, and Other

We understand that your employees will prepare all cash or other confirmations we request, prepare certain schedules and reconciliations, and locate any invoices or other documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of and sign the Data Collection Form that summarizes our audit findings. We will provide copies of our reports to the City of Picayune, Mississippi; however, it is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and a corrective action plan) along with the Data Collection Form to the designated federal clearinghouse and, if appropriate, to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits. At the conclusion of the engagement, we will provide information to management as to where the reporting packages should be submitted and the number to submit.

The workpapers for this engagement are the property of Alexander, Van Loon, Sloan, Levens & Favre, PLLC and constitute confidential information. However, we may be requested to make certain workpapers available to grantor agencies pursuant to authority given to them by law or regulation. If requested, access to such workpapers will be provided under the supervision of our firm's personnel. Furthermore, upon request, we may provide photocopies of selected workpapers to grantor agencies. The agencies may intend, or decide, to distribute the photocopies or information contained therein to others, including other governmental agencies.

The workpapers for this engagement will be retained for a minimum of three years after the date of the auditors' report is issued or for any additional period requested by the Grantor Agency. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an

audit finding, we will contact the party contesting the audit finding for guidance prior to destroying the workpapers.

We expect to begin our audit on approximately January 6, 2004 and to issue our reports no later than March 19, 2004. However, we will perform certain procedures related to fixed assets and the conversion of the September 30, 2002 financial statements to the GASB 34 financial reporting model during the summer of 2003, such date to be determined. Our fee for these audit services will be at our standard hourly rates plus out-of-pocket costs, if any, estimated to be as follows:

Basic Audit Fee (GASB 34 Reporting Model)	\$33,350
Single Audit Fee	6,800
Additional Fee Related to Implementation of the GASB 34 Financial Reporting Model	6,575
Additional Fee Related to Testing of Fixed Assets	<u>2,225</u>
Total Fee	<u>\$48,950</u>

Our fee estimate is based on full cooperation from your personnel, the availability of accounting records, the anticipation that all schedules requested will be completed accurately and timely, and the assumption that there will be no issues of noncompliance with laws and regulations identified by our audit procedures or other unexpected circumstances that would increase the scope of our audit work. Unexpected circumstances can include numerous delays and fraud circumstances that cause us to incur additional hours to investigate, expand testing, and report such. The fee estimate is also based on the assumption that the financial records are current and accurate and that no material adjustments will be necessary to the financial statements other than accrual entries for GASB 34 implementation. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. Invoices not paid by the end of the month will accrue service charges equal to 1 1/2% per month on the outstanding account balance.

Professional Independence Standards preclude us from performing accounting or bookkeeping functions in conjunction with our audit services. Accounting and bookkeeping functions include, but are not limited to, posting entries to record transactions, preparing adjustments necessary to correct your accounting records, deciding on appropriate accounting principles, etc. Accordingly, if significant adjustments are necessary to correct your accounting records in order to make them auditable, we cannot provide such service as part of the audit engagement.

Honorable Mayor and City Manager
City of Picayune, Mississippi
April 24, 2003
Page 7

Government Auditing Standards require that we provide you with a copy of our most recent quality control review report. Our 2002 peer review report has been included with this letter.

We appreciate the opportunity to be of service to the City of Picayune, Mississippi and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Sincerely,

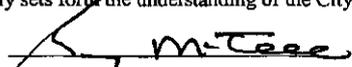


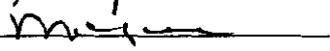
ALEXANDER, VAN LOON, SLOAN, LEVENS & FAVRE, PLLC
Certified Public Accountants

Enclosure

RESPONSE:

This letter correctly sets forth the understanding of the City of Picayune, Mississippi.

Officer signature: 

Title: 

Date: 5-20-03

CITY OF MCAYUNE-GENERAL FUND
PROPOSED BUDGET AMENDMENT #4
FOR THE YEAR ENDING 9/30/03

FUND 001

2002-2003

REVENUES:	BUDGET	AMEND.#1	AMEND.#2	AMEND.#3	AMEND.#4
LICENSE & PERMITS	375,000	375,000	375,000	375,000	375,000
INTERGOVERNMENTAL REVENUES	3,112,000	3,252,861	4,156,151	4,190,465	4,190,465
CHARGES FOR SERVICES	606,000	606,000	606,000	606,000	606,000
FINES & FORFEITS	340,000	340,000	340,000	340,000	340,000
MISCELLANEOUS	12,000	12,000	12,000	12,000	12,000
TRANSFERS IN	1,840,000	350,000	350,000	350,000	350,000
INTEREST INCOME	41,000	41,000	41,000	41,000	41,000
NON-REVENUE RECEIPTS	0	100	200	2,999	2,999
TOTAL FROM ALL SOURCES, OTHER THAN TAXES	6,326,000	4,676,751	5,860,351	5,917,464	5,917,464
BEGINNING CASH	2,052,409	3,599,499	3,599,499	3,599,499	3,599,499
TOTAL RECEIPTS OTHER THAN AD VALOREM TAX	8,378,409	8,276,250	9,459,850	9,516,963	9,516,963
AMOUNT TO BE RAISED BY AD VALOREM TAX	1,489,000	1,489,000	1,489,000	1,489,000	1,489,000
TOTAL FROM ALL SOURCES	9,867,409	10,065,250	10,948,850	11,005,963	11,005,963

EXPENSES:

GENERAL GOVERNMENT

PERSONNEL	903,642	903,642	903,642	903,642	903,642
SUPPLIES	35,850	35,850	35,850	35,850	35,850
OTHER SERVICES & CHARGES	471,300	481,300	481,300	481,300	481,300
CAPITAL OUTLAYS	73,000	73,000	73,000	73,000	73,000
TOTAL	1,483,792	1,493,792	1,493,792	1,493,792	1,493,792

PUBLIC SAFETY - POLICE

PERSONNEL	1,664,697	1,664,697	1,664,697	1,664,697	1,665,697
SUPPLIES	143,825	143,825	143,825	136,424	140,524
OTHER SERVICES & CHARGES	178,150	178,150	178,150	171,100	168,800
CAPITAL OUTLAYS	136,800	136,800	141,800	146,300	148,300
TOTAL	2,123,472	2,123,472	2,128,472	2,123,521	2,123,521

PUBLIC SAFETY - FIRE

PERSONNEL	1,272,858	1,272,858	1,272,858	1,272,858	1,272,858
SUPPLIES	58,750	58,850	58,850	58,100	58,100
OTHER SERVICES & CHARGES	62,900	67,850	67,850	67,850	67,850
CAPITAL OUTLAYS	597,500	597,500	597,500	597,500	597,600
TOTAL	1,992,008	1,996,058	1,996,058	1,996,308	1,996,308

CITY OF PICAYUNE-GENERAL FUND
 PROPOSED BUDGET AMENDMENT #4
 FOR THE YEAR ENDING 9/30/03

FUND 001
 2001-2002

CONTINUED

EXPENSES:

	BUDGET	AMEND #1	AMEND #2	AMEND #3	AMEND #4
PUBLIC WORKS					
PERSONNEL	651,354	651,354	651,354	651,354	667,064
SUPPLIES	261,100	261,100	261,100	261,100	261,100
OTHER SERVICES & CHARGES	655,250	655,250	655,250	655,250	655,250
CAPITAL OUTLAYS	742,075	882,726	1,779,726	1,779,726	1,742,226
TOTAL	2,709,779	2,650,430	3,747,430	3,747,430	3,725,630
CULTURE & RECREATION					
PERSONNEL	0	0	0	0	0
SUPPLIES	2,300	2,300	2,300	2,300	2,300
OTHER SERVICES & CHARGES	10,000	10,000	10,000	10,000	10,000
CAPITAL OUTLAYS	12,000	12,000	16,000	16,000	53,500
TOTAL	24,300	24,300	28,300	28,300	65,800
COST OF LIVING RAISES	234,000	234,000	234,000	234,000	234,000
AID TO OTHER GOVERNMENTS	45,425	45,425	45,425	45,425	45,425
TRANSFERS OUT	372,800	373,599	373,599	373,599	369,020
ENDING CASH BALANCE	894,133	925,474	922,974	983,866	932,467
TOTAL EXPENDITURES & ENDING CASH BALANCE	9,867,409	10,065,260	10,968,660	11,005,963	11,005,963

CITY OF PICAYUNE
ECONOMIC DEVELOPMENT FUND
PROPOSED BUDGET AMENDMENT #4
FOR THE YEAR ENDING 9/30/03

FUND 110
2002-2003

REVENUES:

ECONOMIC DEVELOPMENT

	ORIGINAL BUDGET	AMEND.#1	N/C AMEND.#2	N/C AMEND.#3	AMEND.#4
SALES TAX REVENUE	240,000	240,000	240,000	240,000	240,000
INTEREST INCOME	13,200	13,200	13,200	13,200	13,200
RENT	3,750	3,750	3,750	3,750	3,750
SUBTOTAL	256,950	256,950	256,950	256,950	256,950

CDRG RAILSPUR

CDRG RAILSPUR GRANT REVENUE	0	0	0	0	176,635
TRANSFER FROM GENERAL	0	0	0	0	15,421
INTEREST INCOME	0	0	0	0	0
SUBTOTAL	0	0	0	0	195,356

TOTAL REVENUES	256,950	256,950	256,950	256,950	452,306
BEGINNING CASH	663,328	701,557	701,557	701,557	701,557
TOTAL FROM ALL SOURCES	910,278	958,507	958,507	958,507	1,153,863

EXPENSES:

ECONOMIC DEVELOPMENT

SUPPORT TO OTHER ORGAN	10,000	10,000	10,000	10,000	10,000
OTHER SERVICES	0	0	0	0	0
CAPITAL OUTLAYS	0	0	0	0	0
SUBTOTAL	10,000	10,000	10,000	10,000	10,000

CDRG RAILSPUR

SUPPLIES	0	0	0	0	0
OTHER SERVICES	0	0	0	0	0
CAPITAL OUTLAYS	0	0	0	0	195,356
SUBTOTAL	0	0	0	0	195,356

TOTAL EXPENSES	10,000	10,000	10,000	10,000	205,356
ENDING CASH BALANCE	900,278	948,507	948,507	948,507	948,507
TOTAL EXPENSES & ENDING CASH BALANCE	910,278	958,507	958,507	958,507	1,153,863

CITY OF PRICAYUNE
CEMETERY FUND
PROPOSED BUDGET AMENDMENT #4
FOR THE YEAR ENDING 9/30/03

FUND 406

2002-2003

	ORIGINAL BUDGET	AMEND.#1	N/C AMEND.#2	N/C AMEND.#3	AMEND.#4
REVENUES:					
RECORDING FEES	0	0	0	0	0
SALE OF LOTS	25,000	25,000	25,000	25,000	25,000
INTEREST INCOME	6,200	6,200	6,200	6,200	6,200
MISCELLANEOUS INCOME	0	0	0	0	0
TRANSFERS IN-FROM GEN	57,000	57,000	57,000	57,000	57,000
TOTAL REVENUES	88,200	88,200	88,200	88,200	88,200
BEGINNING CASH	301,583	310,067	310,067	310,067	310,067
TOTAL FROM ALL SOURCES	389,783	398,267	398,267	398,267	398,267
EXPENSES:					
PERSONNEL	94,167	94,167	94,167	94,167	94,167
SUPPLIES	13,400	13,400	13,400	13,400	11,400
OTHER SERVICES	4,900	4,900	4,900	4,900	6,900
CAPITAL OUTLAYS	24,500	24,500	24,500	24,500	24,500
ENDING CASH BALANCE	262,796	261,300	261,300	261,300	261,300
TOTAL EXPENSES & ENDING CASH BALANCE	389,783	398,267	398,267	398,267	398,267

CITY OF MCAYUNE
 F OR BUDGET YEAR ENDING 9/30/03
 BUDGET JOURNAL ENTRIES FOR BUDGET AMEND #4

GL ACCT NUMBER	DESCRIPTION	DEBIT	CREDIT
GENERAL FUND			
001-520-900.30	TRANSFER TO CDBG RAILSPUR DECREASE TO ENDING CASH	\$15,421	\$15,421
	BUDGET CITY PORTION OF NEW CDBG RAILSPUR		
001-201-430	SALARIES	\$12,047	
001-201-460	RETIREMENT	\$1,175	
001-201-470	FICA-CITY'S SHARE	\$622	
001-201-480	GROUP INSUR-CITY'S SHARE	\$1,557	
	DECREASE ENDING CASH		\$15,700
		\$15,700	\$15,700
	ADJUST FOR NEW POSITION (DUDE & SHANE)		
001-300-720	IMPROV OTHER THAN BLDG		
001-203-710.01	CITY HALL PAINTING		
	TRANSFER BALANCE OF CITY HALL PAINTING TO PARKS		
001-119-430	SALARIES	\$1,200	
001-119-500.01	OFFICE SUPPLIES	\$1,100	
001-119-811.01	EMPLOYEE TRAINING		\$2,300
		\$2,300	\$2,300
	REALLOCATE GRANT EXPENDITURES		
ECONOMIC DEVELOPMENT-CDBG RAILSPUR			
119-615-253.04	CDBG RAILSPUR GRANT REVENUE		\$179,935
119-615-380.01	TRANSFER FROM GENERAL		\$15,421
119-615-798.10	ENGINEERING	\$15,421	
119-615-758.20	ADMINISTRATION	\$18,358	
119-615-758.50	CONTINGENCIES	\$12,114	
119-615-758.80	RAILSPUR CONSTRUCTION	\$151,483	
		\$195,386	\$195,386
	BUDGET FOR NEW GRANT		
CEMETERY FUND			
406-205-600.01	PROFESSIONAL SERVICES	\$2,000	
406-205-681.03	SAND, GRAVEL, & FILL DIRT		\$2,000
	REALLOCATE BUDGET		

REGULAR MEETING DATED MAY 20, 2003

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

The motion was declared carried.

CONSIDER REQUEST TO REZONE PROPERTY FROM R-1 TO OP, OFFICE PROFESSIONAL

Motion was made by Council Member Guy, seconded by Council Member Parker, to postpone the decision on the rezoning of property located on the SW corner of Orleans Blvd. and Highway 43 North, from R-1 Single Family Residential to Op, Office Professional as requested by Dr. Haidar until the next council meeting, May 23, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

The motion was declared carried.

CONSIDER REQUEST TO REZONE PROERTY FROM R-2 TWO FAMILY RESIDENTIAL TO C-3, HIGHWAY COMMERCIAL DISTRICT

Motion was made by Council Member Guy, seconded by Council Member Parker, to grant the rezoning of property located on the North side of Alpine Street from R-2, Two Family, Residential to C-3, Highway Commercial District, requested by Dub Herring. The following roll call vote was taken:

VOTING YEA: Council Members Parker and Guy

VOTING NAY: Mayor Mitchell and Council Member Roberson

ABSENT AND NOT VOTING: Council Member Watts and Bounds

Motion did not carry.

CONSIDER REQUEST TO REZONE PROPERTY FROM A-1, AGRICULTURE DISTRICT, TO C-3, HIGHWAY COMMERCIAL DISTRICT

Upon recommendation of the Planning Commission motion was made by Council Member Roberson, seconded by Council Member Guy, to grant rezoning of property located on the SE corner of Frontage Road and Highway 43 South, from A-1 Agriculture District, to C-3, Highway Commercial District requested by Mr. A.P. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

The motion was declared carried.

Ordinance No. 783

AN ORDINANCE TO REZONE THE FOLLOWING DESCRIBED PROPERTY FROM A-1, AGRICULTURE DISTRICT, TO C-3, HIGHWAY COMMERCIAL DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PICAYUNE, PEARL RIVER COUNTY, MISSISSIPPI, IN MEETING DULY ASSEMBLED:

SECTION 1. That the following described property shall be rezoned from A-1, Agriculture District, to C-3, Highway Commercial District:

Beginning at the NW corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24, Township 6 South, Range 17 West, Pearl River County, Mississippi; thence East 330 feet; thence South 1320 feet; thence West 330 feet; thence North 1320 feet to the point of beginning, containing 10 acres, more or less, and being a part of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24, Township 6 South, Range 17 West, Pearl River County, Mississippi.

LESS AND EXCEPT: the following property conveyed to the Mississippi State Highway Department:

Beginning at the NW corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24, Township 6 South, Range 17 West, Pearl River County, Mississippi; thence run East 330 feet; thence run South 41.5 feet; thence run North 89 degrees 38 minutes West a distance of 281 feet; thence run North 82 degrees 54 minutes West 51.6 feet; thence run North 30.6 feet to the point of beginning. Containing 0.25 acres, more or less, and being a part of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24, Township 6 South, Range 17 West, Pearl River County, Mississippi.

SECTION 2. Severability, Conflict and Effective Date

Should any section, clause, paragraph, provision or part of this ordinance for any reason be held invalid or unconstitutional by any Court of competent jurisdiction, this act shall not affect the validity of any section, clause, paragraph, provision or part of this ordinance. All provisions of this ordinance shall be considered separate provisions, and completely severable from all other portions.

Conflict in any case where a provision of this ordinance is found to be in conflict with the provisions of any other ordinance or code of the City of Picayune, Mississippi, existing on the effective date of this ordinance, the provisions of this ordinance shall take precedence.

This ordinance shall become effective after 30 days from its passage and upon completion of the requirements specified in Section 21-31-11, Mississippi Code of 1972, as amended.

The foregoing ordinance, having first been reduced to writing, was moved upon by Councilmember Roberson, seconded by Councilmember Guy, and voted upon as follows:

VOTING YEA: Mayor Mitchell, Councilmembers Roberson, Guy and Parker

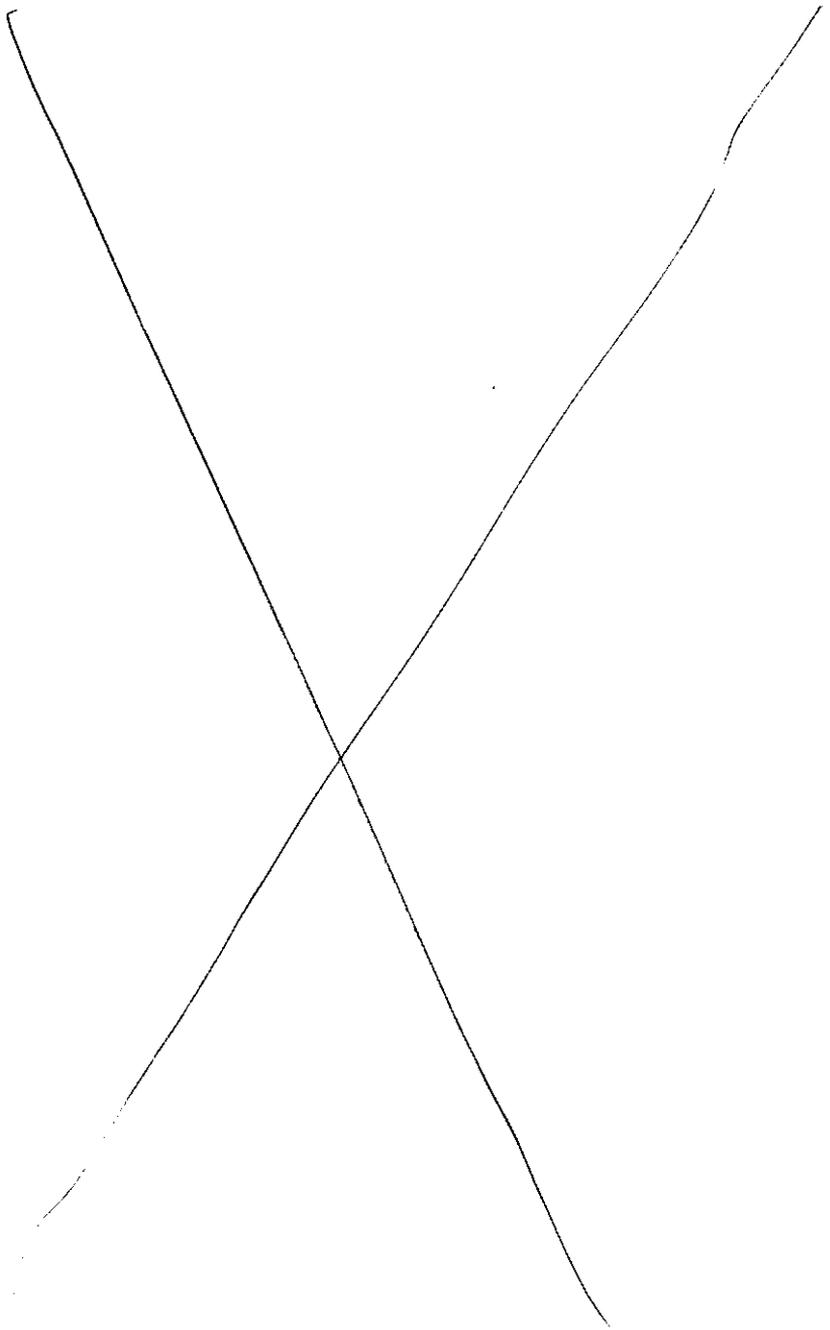
VOTING NAY: None

ABSENT AND NOT VOTING: Councilmembers Watts and Bounds

The motion having received the affirmative vote of the majority of the members present, the Mayor declared the motion carried and the ordinance passed, approved and adopted on this the 20th day of May, 2003.

Gregory H. Mitchell, Mayor

Leann Smith, Deputy City Clerk



REGULAR MEETING DATED MAY 20, 2003CONSIDER REQUEST FOR HOME OCCUPATION LICENSE

Upon recommendation of the Planning Commission motion was made by Council Member Guy, seconded by Council Member Parker to grant a home occupation license to Joseph Thorman, 110 Westonia to operate an on-site computer consulting service. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

The motion was declared carried.

CONSIDER REQUEST FOR HOME OCCUPATION LICENSE

Upon recommendation of the Planning Commission motion was made by Council Member Roberson, seconded by Council Member Parker to grant a home occupation license to Timothy and Pamela Keen, 1404 Sycamore Road to operate a delivery of snack foods from their home. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

The motion was declared carried.

CONSIDER REQUEST FOR TENT REVIVAL IN C-1 ZONE

Upon recommendation of the Planning Commission motion was made by Council Member Parker, seconded by Council Member Guy, to grant request for a tent to be placed at 601 S. Main Street for the purpose of a revival to be held May 27, 2003 –May 31, 2003 as submitted by Mrs. Shirley Smith on behalf of Safe Haven Church. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

The motion was declared carried.

CONSIDER REQUEST FOR SIDE YARD VARIANCE

Upon recommendation of the Planning Commission motion was made by Council Member Roberson, seconded by Council Member Parker, to grant a four-foot side yard variance to Leslie Travis in order to construct an additional parking garage at 1005 Stemwood Drive. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

REGULAR MEETING DATED MAY 20, 2003

The motion was declared carried.

CONSIDER REQUEST FOR USE OF MODULAR BUILDING IN C-3 ZONE

Upon recommendation of the Planning Commission motion was made by Council Member Guy, seconded by Council Member Roberson, to grant the use of a 12'X42' modular building to Opal Merrill, Paul's Auto Sales. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

The motion was declared carried.

CONSIDER REQUEST FOR HEIGHT VARIANCE, NEXTEL TOWER

Motion was made by Council Member Guy, seconded by Council Member Roberson, to postpone the request of the placement of a tower with the height to be no higher than 150 feet, as requested by Nextel until the next Council meeting, May 23, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

The motion was declared carried.

CONSIDER BID AWARD FOR TAXIWAY LIGHTING AT PICAYUNE MUNICIPAL AIRPORT

Motion was made by Council Member Roberson, seconded by Council Member Guy, to award the Taxiway Lighting bid to Keyes Electric, the low bidder. Bid amount, \$69,325.00 and authorize the Mayor to sign Construction Contract with Keyes Electric. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

The motion was declared carried.

CONSIDER APPOINTMENT OF SUBGRANTEE GRANT ADMINISTRATOR FOR HOMELAND SECURITY FUNDING

Motion was made by Council Member Guy, seconded by Council Member Roberson, to appoint Bobby Strahan as Subgrantee Administrator and authorize Mayor to sign Designation of Subgrantee Grant Administration for Homeland Security funding. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

REGULAR MEETING DATED MAY 20, 2003

The motion was declared carried.

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Guy, seconded by Council Member Parker to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Parker, to enter executive session to discuss the possible Contractual Agreement with MEMA, possible purchase of land on East Canal, possible purchase of utility system, contractual matters on Friendship Park, possible land purchase within the vicinity of Picayune Airport, contractual matter with Southern Financial Systems and personnel matters for professional services. The following roll call vote was taken.

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts and Bounds

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss the possible Contractual Agreement with MEMA, possible purchase of land on East Canal, possible purchase of utility system, contractual matters on Friendship Park, possible land purchase within the vicinity of Picayune Airport, contractual matter with Southern Financial Systems and personnel matters for professional services.

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Roberson seconded by Council Member Guy, and unanimously carried, the Mayor reopened the meeting. The Mayor stated that in executive session and upon motion of Council Member Roberson, seconded by Council Member Guy and unanimously carried, the Mayor was authorized to sign Contractual Agreement with MEMA. Upon motion of Council Member Parker, seconded by Council Member Guy and unanimously carried, the Mayor was authorized to sign documents for the purchase of land located on East Canal Street and issue a manual check in the amount of \$500.00 for earnest money. No action was taken on the possible purchase of a utility system. Upon motion of Council Member Roberson seconded by Council Member Guy, and unanimously carried, contractual matters on Friendship Park-Neal-Schaffer and Personnel matters for Professional Services were postponed to the next meeting, May 23, 2003. Upon motion of Council Member Roberson, seconded by Council Member Guy, and unanimously carried the Purchasing Agent was authorized to advertise for bids for an appraiser on possible land purchase within the vicinity of Picayune Airport. Upon Motion by Council Member Roberson, seconded by Council Member Parker, and unanimously carried, the Mayor was authorized to sign, with revisions, the contractual matter with Southern Financial Systems. Upon motion by Council Member Guy, seconded by Council Member Parker, and unanimously

REGULAR MEETING DATED MAY 20, 2003

carried, the Mayor was authorized to sign Supplemental Agreement No. 1, additional engineering fees on Memorial Boulevard Roadway Improvements.

ORDER TO ADJOURN

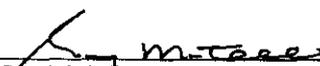
Motion was made by Council Member Roberson and seconded by Council Member Parker to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Guy, and Parker

ABSENT AND NOT VOTING: Council Members Watts and Bounds

VOTING NAY: None

The motion was declared carried.



Greg Mitchell, Mayor

ATTEST:



Leann Smith, Deputy City Clerk

AGREEMENT FOR COLLECTION SERVICES

46 A

Agreement, made this 30th day of May, 2003, between The City Of Picayune (herein known as "Client"), and Southern Financial Systems, Inc. (Herein known as "Collector").

Witnesseth:

WHEREAS, Client desires, from time to time on a regular basis during the term of this agreement, to submit to Collector for the collection of certain claims, accounts, or other evidence of indebtedness (herein called "Accounts"), and

WHEREAS, Collector desires to provide Client with collection services with respect to said Accounts and effective from the 30th day of May, 2003 thru the 30th day of May, 2004, a period of one (1) year.

NOW THEREFORE, for and in consideration of the mutual covenants hereinafter set forth, it is mutually agreed by and between the parties hereto as follows:

- Collector agrees that collection activity will be carried out in compliance with all applicable federal, state, and local laws.
- Client hereby warrants that all claims forwarded to Collector will be valid and legally enforceable debts and that Client will, both before and after forwarding said Accounts, comply with all applicable federal, state, and local laws with respect hereto. Further, Client agrees to provide, whenever requested to do so by Collector, a written verification of the Account, copy of the judgement, if any, of which the claim is based, and the name and address of the person or entity to whom the debt was originally owed, if different from the client.
- If any court of competent jurisdiction will find that any provision of this Agreement is invalid or unenforceable, the remaining provisions will remain in force and effect.
- Client and Collector agree that all actions taken by Client and Collector pursuant to this Agreement will be in accordance with the **TERMS AND CONDITIONS** set forth on the attached hereof. Said **TERMS AND CONDITIONS** have been signed by both parties and are hereby part of the Agreement as fully and effectively as if they were set forth herein. It will be construed to include said **TERMS AND CONDITIONS**. This Agreement, including the **TERMS AND CONDITIONS**, contains the entire agreement between the parties hereto and cannot be amended or modified in any respect except by an amendment in writing signed by both parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

Southern Financial Systems, Inc.

The City Of Picayune

By: [Signature]

By: [Signature]

Date: 6-4-03

Date: 5-30-03

46B

TERMS AND CONDITIONS

The parties agree as follows:

1. This Contract is in effect from 6-1-03 to and including 6-1-04.
2. Client grants the privilege of collection activity to Collector.
3. Collection rate charged will be on a contingency fee basis of 35.00%.
4. Client agrees to the following rules and regulations with Collector:
 - A: Client will immediately report all direct payments to Collector.
 - B: Client hereby agrees that no arrangements will be made with consumers any time after the account has been referred to Collector for collections.
 - C: Recalled Accounts, other than those listed in error, will be subject to the above listed contingency fee if being actively worked by the collection staff, or if they have been credit reported. No Account in which payment has been received or promised will be recalled. No account in the process of litigation will be recalled.
 - D: Client agrees that Collector will receive commission or fees on a paid account wether the account is paid to Clients office or the Collector's.
 - E: Client agrees that once an account is assigned to Collector all collection activity and efforts by the Client shall stop.
 - F: This contract is in effect for One (1) year from it's effective date. It shall continue past that date without any further effort on the part of the Client or the Collector.
 - G: Either Client or Collector can terminate this contract at any point with thirty (30) days notice to the other party. Exempted from termination are Accounts in litigation, in a promise to pay status, or Accounts from which regular payments are being received. Client shall pay Commission on these Accounts until resolved.
5. Collector agrees to deposit all funds collected into a trust account, and that remittances will be paid to the Client the following month that collections were actually received. Collector will remit to Client all funds received by the 10th of the following month. Client agrees to remit commission payment to Collector within five (5) days after the Board Meeting following receipt of payment from Collector.

Southern Financial Systems, Inc. The City Of Picayune

By: [Signature]

By: [Signature]

Date: 6-4-03

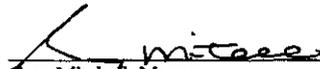
Date: 5-30-03

May 23, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

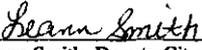
Be It Remembered that the City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Friday, May 23, 2003 at 6:00 p.m. in recessed session with the following officials present, Council Members Lucjan Roberson, and Leavern Guy, Sr. City Manager J.P. Burns, Jr., Deputy City Clerk Leann Smith, City Attorney Nathan Farmer, Police Chief Jim Luke.

It Being Determined a quorum was not present, no official action was taken.



Greg Mitchell, Mayor

ATTEST:



Leann Smith, Deputy City Clerk

May 30, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Friday, May 30, 2003 at 5:00 p.m. in recessed session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Leavern Guy, Sr, Jerry Bounds City Manager J.P. Burns, Jr., Deputy Clerk Michelle Berdux, Deputy City Clerk Leann Smith, City Attorney Nathan Farmer, and Chief Jim Luke

It being determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Council Member Roberson followed by the Pledge of Allegiance led by Council Member Jerry Bounds

CONSIDER REQUEST TO ADVERTISE FOR STREET PAVING

Motion was made by Council Member Guy, seconded by Council Member Bounds, to authorize Purchase Agent to advertise for street paving project for streets as shown on Exhibit A attached hereto. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

**CONSIDER REQUEST TO APPROVE BUDGET AMENDMENT #4 FOR THE YEAR
ENDING SEPTEMBER 30, 2003**

Motion was made by Council Member Guy, seconded by Council Member Parker to adopt Budget Amendment #4 for year ending 09/30/03 as presented: and attached hereto

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members, Parker, Bounds and Guy

VOTING NAY: Council Member Roberson

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

**CONSIDER REQUEST TO REZONE PROPERTY FROM R-1 TO OP, OFFICE
PROFESSIONAL**

Motion was made by Council Member Guy, seconded by Council Member Parker, to follow the recommendation of the Planning Commission and grant the rezoning of property located on the SW corner of Orleans Blvd. and Highway 43 North, from R-1 Single Family Residential to Op, Office Professional as requested by Dr. Haidar. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: Council Member Roberson

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDINANCE NO. 784

AN ORDINANCE TO REZONE THE FOLLOWING DESCRIBED PROPERTY FROM R-1, SINGLE FAMILY RESIDENTIAL DISTRICT, TO OP, OFFICE PROFESSIONAL DISTRICT.

Be It Ordained by the City Council of the City of Picayune, Pearl River County, Mississippi, In Meeting Duly Assembled:

Section 1. That the following described property shall be rezoned from R-1, Single Family Residential District, to OP, Office Professional District:

Beginning at the Northwest corner of Chateauguay Subdivision, Unit Two, Picayune, Mississippi; thence South 22 degrees 40 minutes 57

seconds East 379.77 feet; thence South 89 degrees 50 minutes 37 seconds East 54.25 feet; thence South 22 degrees 40 minutes 57 seconds East 663.84 feet; thence West 672 feet, more or less, to the West Boundary of the SE ¼ of the NW ¼ of Section 12, Township 6 South, Range 17 West; thence North 962.9 feet more or less, to the Northwest corner of said forty; thence East 215 feet, more or less, to the point of beginning; Containing 10.0 acres, more or less, and being in the SE ¼ of the NW ¼ of Section 12, Township 6 South, Range 17 West, in Pearl River County, Mississippi.

Section 2. Severability, Conflict and Effective Date

Should any section, clause, paragraph, provision, or part of this ordinance for any reason be held invalid or unconstitutional by any Court of competent jurisdiction, this act shall not affect the validity of any other section, clause, paragraph, provision or part of this ordinance. All provisions for this ordinance shall be considered separate provisions, and completely severable from all other portions.

Conflict in any case where a provision of this ordinance is found to be in conflict with the provisions of any other ordinance or code of the City of Picayune, Mississippi, existing on the effective date of this ordinance, the provisions of this ordinance shall take precedence.

This ordinance shall become effective after 30 days from its passage and upon completion of the requirements specified in Section 21-13-11, Mississippi Code of 1972 as amended.

The foregoing Ordinance having been reduced to writing and considered, section by section, was introduced by Council Member Leavern Guy, Sr, seconded by Council Member Donald Parker, and adopted by the following roll call vote, to-wit:

- VOTING YEA:** Mayor Mitchell, Council Members Parker, Guy and Bounds
- VOTING NAY:** Council Member Roberson
- ABSENT AND NOT VOTING:** Council Member Watts

The motion having received the affirmative vote of the majority of the members present, the Mayor declared the motion carried and the ordinance passed, approved and adopted on this the 30th day of May 2003.

Greg Mitchell, Mayor

ATTEST:

Leann Smith, Deputy City Clerk

CITY OF PICAYUNE FUND 120
 CDBG RAIL SPUR GRANT
 PROPOSED BUDGET AMEND 2002-2003
 FOR THE YEAR ENDING 9/30/03

	ORIGINAL				
	BUDGET	AMEND	MEND #2	MEND #3	MEND #4
REVENUES:					
GRANT REVENUE	0	0	0	0	179,935
TRANSFER IN FROM C	0	0	0	0	15,421
INTEREST INCOME	0	0	0	0	0
TOTAL REVENUES	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>195,356</u>
BEGINNING CASH	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL FROM ALL SOL	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>195,356</u>
EXPENSES:					
SUPPLIES	0	0	0	0	0
OTHER SERVICES	0	0	0	0	0
CAPITAL OUTLAYS	0	0	0	0	195,356
ENDING CASH BALANCE	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL EXPENSES & ENDING CASH BALANCE	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>195,356</u>

CITY OF PICAYUNE FUND 406
 CEMETERY FUND
 PROPOSED BUDGET AMEND 2002-2003
 FOR THE YEAR ENDING 9/30/03

	ORIGINAL		N/C	N/C	
	BUDGET	END #1	AMEND #2	AMEND #3	AMEND #4
REVENUES:					
RECORDING FEES	0	0	0	0	0
SALE OF LOTS	25,000	25,000	25,000	25,000	25,000
INTEREST INCOME	6,200	6,200	6,200	6,200	6,200
MISCELLANEOUS INC	0	0	0	0	0
TRANSFERS IN-FROM	57,000	57,000	57,000	57,000	57,000
TOTAL REVENUES	88,200	88,200	88,200	88,200	88,200
BEGINNING CASH	301,563	310,067	310,067	310,067	310,067
TOTAL FROM ALL SOL	389,763	398,267	398,267	398,267	398,267
EXPENSES:					
PERSONNEL	94,167	94,167	94,167	94,167	94,167
SUPPLIES	13,400	13,400	13,400	13,400	11,400
OTHER SERVICES	4,900	4,900	4,900	4,900	6,900
CAPITAL OUTLAYS	24,500	24,500	24,500	24,500	24,500
ENDING CASH BALANCE	252,796	261,300	261,300	261,300	261,300
TOTAL EXPENSES & ENDING	389,763	398,267	398,267	398,267	398,267
CASH BALANCE					

CITY OF PICAYUNE
 FOR BUDGET YEAR ENDING 9/30/03
 BUDGET JOURNAL ENTRIES FOR BUDGET AMEND #4

GL ACCT NUMBER	DESCRIPTION	DEBIT	CREDIT
GENERAL FUND			
001-520-900.30	TRANSFER TO CDBG RAILSPUR DECREASE TO ENDING CASH	\$15,421	\$15,421
	BUDGET CITY PORTION OF NEW CDBG RAILSPUR		
001-201-430	SALARIES	\$12,047	
001-201-460	RETIREMENT	\$1,175	
001-201-470	FICA-CITY'S SHARE	\$822	
001-201-480	GROUP INSUR-CITY'S SHARE	\$1,557	
	DECREASE ENDING CASH		\$15,700
		\$15,700	\$15,700
	ADJUST FOR NEW POSITION (DUDE & SHANE)		
001-300-720	IMPROV OTHER THAN BLDG		
001-205-710.01	CITY HALL PAINTING		
	TRANSFER BALANCE OF CITY HALL PAINTING TO PARKS		
CDBG RAILSPUR FUND			
120-000-203.04	CDBG RAILSPUR GRANT REVENUE		\$179,935
120-000390.01	TRANSFER FROM GENERAL		\$15,421
120-610-758.10	ENGINEERING	\$15,421	
120-610-758.20	ADMINISTRATION	\$18,356	
120-610-758.50	CONTINGENCIES	\$12,114	
120-610-758.60	RAILSPUR CONSTRUCTION	\$151,463	
		\$185,356	\$185,356
	BUDGET FOR NEW FUND		
CEMETERY FUND			
400-205-600.01	PROFESSIONAL SERVICES	\$2,000	
400-205-681.03	SAND, GRAVEL, & FILL DIRT		\$2,000
	REALLOCATE BUDGET		

CONSIDER REQUEST FOR HEIGHT VARIANCE, NEXTEL TOWER

Motion was made by Council Member Guy, seconded by Council Member Parker, to grant a 45 feet height variance to Nextel Tower allowing a tower height of 195 feet with the condition of City Engineer overseeing construction. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Roberson, seconded by Council Member Bounds to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Parker, to enter executive session to discuss the possible Contractual Matters on Friendship Park-Neel. The following roll call vote was taken.

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss the possible Contractual matters on Friendship Park Neel-Schaffer.

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Bounds seconded by Council Member Guy, and unanimously carried, the Mayor reopened the meeting. The Mayor stated that in executive session and upon motion of Council Member Roberson, seconded by Council Member Bounds and unanimously carried, the Mayor was authorized to sign Contractual Agreement on Friendship Park with Neel-Schaffer. to-wit:

AGREEMENT FOR PROFESSIONAL SERVICES**BETWEEN****CITY OF PICAYUNE****AND****NEEL-SCHAFFER, INC.**

THIS IS AN AGREEMENT made on _____, 2003, between the **CITY OF PICAYUNE**, 203 Goodyear Boulevard, Picayune, Mississippi 39466 (**OWNER**), and **NEELsCHAFFER, INC.**, 704 Hardy Street, Hattiesburg, Mississippi 39401 (**ENGINEER**).

OWNER intends to construct Friendship Park Improvements with the principal components as follows: tennis complex, baseball/softball complex, soccer complex, and pee-wee football complex along with other related facilities. The components are described in more detail in Exhibit A, "Project Description," and hereinafter called the **Project**.

OWNER and **ENGINEER**, in consideration of the mutual covenants herein, agree with respect to the performance of professional engineering services by **ENGINEER** with respect to the **Project** and the payment for these services by **OWNER** as set forth herein.

SECTION 1 B BASIC SERVICES OF ENGINEER

- 1.1 **ENGINEER** shall provide for **OWNER** professional engineering services for all phases of the **Project** to which this Agreement applies as hereinafter provided. These services will include serving as **OWNER**'s professional engineering representative for the **Project**, providing consultation and advice, and furnishing customary engineering services.
- 1.2 By execution of this Agreement, **OWNER** authorizes **ENGINEER** to provide Basic Services for the Design Phase of the **Project** in accordance with Exhibit B, "Scope of Design Phase Services."

- 1.3 When authorized in writing by **OWNER**, **ENGINEER** shall provide Basic Services for the Construction Phase of the Project in accordance with Exhibit C, "Scope of Construction Phase Services."

SECTION 2 B ADDITIONAL SERVICES OF ENGINEER

- 2.1 If authorized in writing by **OWNER**, **ENGINEER** shall provide, or obtain from other qualified persons or firms, additional services which are not included as part of the Basic Services specified in Section 1. Additional services shall include, but are not limited to, the following:

- 2.1.1 Services resulting from significant changes in the general scope, extent, or character of the Project designed or specified by **ENGINEER** or its design including, but not limited to, changes in size, complexity, **OWNER's** schedule, character of construction, or method of financing; and revising previously accepted studies, reports, design documents, or Contract Documents when such revisions are required by changes in laws, rules, regulations, ordinances, codes, or orders enacted subsequent to the preparation of such studies, reports, or documents, or are due to any other causes beyond **ENGINEER's** control.
- 2.1.2 Preparing documents for alternate bids requested by **OWNER** for Contractor's work which is not executed or documents for out-of-sequence work.
- 2.1.3 Services resulting from the award of more than one separate prime contract for construction, materials, or equipment for the Project, unless multiple awards were contemplated and included as part of Basic Services in Section 1.
- 2.1.4 Assistance in connection with rebidding or renegotiating contracts for construction which involve modifying the Contract Documents to revise the Project's general scope, extent, or character as necessary to reduce or increase the construction cost to bring it within the cost limit.
- 2.1.5 Preparing to serve or serving as a consultant or witness for **OWNER** in any litigation, arbitration, or other legal or administrative proceeding involving the Project.
- 2.1.6 Services in making revisions to Contract Documents occasioned by the acceptance of substitutions proposed by Contractor; and services after the award of the construction contract in evaluating and determining the acceptability of an unreasonable or excessive number of substitutions proposed by Contractor.

- 2.1.7 Services resulting from significant delays in Project schedule which occurred through no fault of ENGINEER.
- 2.1.8 Additional or extended services during construction made necessary by (1) work damaged by fire or other cause during construction; (2) a significant amount of defective, neglected, or delayed work of Contractor or supplier; (3) protracted or extensive assistance in the startup or utilization of any equipment or system; (4) acceleration of the progress schedule involving services beyond normal working hours; and (5) default or bankruptcy by Contractor.
- 2.1.9 Evaluating an unreasonable claim or an excessive number of claims submitted by Contractor or others in connection with the Project.
- 2.1.10 Services during out-of-town travel required of ENGINEER other than visits to the Project site or OWNER's office.
- 2.1.11 Additional services in connection with the Project, including services which are to be furnished by OWNER in accordance with Section 3 and services not otherwise provided for in Basic Services as specified in Section 1 of this Agreement.

SECTION 3 B OWNER'S RESPONSIBILITIES

OWNER shall do the following in a timely manner so as not to delay the services of ENGINEER and bear all costs incident thereto:

- 3.1 Designate in writing a person to act as OWNER's representative with respect to the services to be rendered under this Agreement. Such person shall have complete authority to transmit instructions, receive information, and interpret and define OWNER's policies and decisions with respect to ENGINEER's services for the Project.
- 3.2 Provide all criteria and full information as to OWNER's requirements for the Project, including design objectives and constraints; space, capacity, and performance requirements; and flexibility, expendability, and any budgetary limitations. Also furnish copies of design and construction standards which OWNER will require to be included in the Contract Documents.
- 3.3 Assist ENGINEER by placing at ENGINEER's disposal available information pertinent to the Project, including previous reports; geotechnical information; utility locations; property descriptions, zoning, deed and other land use restrictions; and any other data relative to design or construction of the Project. ENGINEER shall not be liable for any

claims for injury or loss arising from errors, omissions, or inaccuracies in documents or other information provided by the OWNER.

- 3.4 Arrange for access to and make all provisions for ENGINEER to enter upon public and private property as required for ENGINEER to perform services under this Agreement.
- 3.5 Examine studies, reports, sketches, drawings, specifications, proposals, and other documents presented by ENGINEER and render in writing decisions pertaining thereto within a reasonable time so as not to delay the services of ENGINEER.
- 3.6 Acquire property for easements and rights-of-way required for construction of the Project.

Printer error

- 3.3 Assist ENGINEER by placing at ENGINEER's disposal available information pertinent to the Project, including previous reports; geotechnical information; utility locations; property descriptions, zoning, deed and other land use restrictions; and any other data relative to design or construction of the Project. ENGINEER shall not be liable for any claims for injury or loss arising from errors, omissions, or inaccuracies in documents or other information provided by the OWNER.
- 3.4 Arrange for access to and make all provisions for ENGINEER to enter upon public and private property as required for ENGINEER to perform services under this Agreement.
- 3.5 Examine studies, reports, sketches, drawings, specifications, proposals, and other documents presented by ENGINEER and render in writing decisions pertaining thereto within a reasonable time so as not to delay the services of ENGINEER.
- 3.6 Acquire property for easements and rights-of-way required for construction of the Project.
- 3.7 Give prompt written notice to ENGINEER whenever OWNER observes or otherwise becomes aware of any development that affects the scope or timing of ENGINEER's services, or any defect or nonconformance in the work of the ENGINEER or of any Contractor.

SECTION 4 B PERIOD OF SERVICE

- 4.1 The provisions of this section and the various rates of compensation for ENGINEER's services provided for elsewhere in this Agreement have been agreed to in anticipation of the orderly and continuous progress of the Project through completion of all phases to which this Agreement applies. Specific periods of time and/or completion dates for rendering services are set forth in Exhibit D, "Project Schedule."
- 4.2 If OWNER requests modifications or changes in the scope, extent or character of the Project, or if periods of time and/or completion dates are exceeded through no fault of ENGINEER, the period of service and amount of compensation for ENGINEER's services shall be adjusted equitably.
- 4.3 In the event that the work designed or specified by ENGINEER is to be performed under more than one prime construction contract, the period of service and/or amount of compensation for ENGINEER's services shall be adjusted equitably unless multiple awards were contemplated and included as part of Basic Services in Section 1.

SECTION 5 B PAYMENTS TO ENGINEER

- 5.1 **Methods of Payment.** OWNER shall pay ENGINEER for Basic Services rendered under Section 1 and Additional Services rendered under Section 2 in accordance with the provisions of Exhibit E, "Payments to Engineer."
- 5.2 **Times of Payment.** ENGINEER shall submit monthly statements for Basic and Additional Services rendered. For lump sum and percentage methods of payment, statements will be based upon ENGINEER's estimate of the proportion of the total services actually completed at the time of billing. OWNER shall make prompt monthly payments in response to ENGINEER's monthly statements.
- 5.3 **Delinquent Payments.** The OWNER recognizes time is critical with respect to payment of the ENGINEER's statements, and that timely payment is a material part of the consideration of this Agreement. ENGINEER's statements shall be due and payable within 30 calendar days of statement date. If OWNER objects to all or any portion of an invoice, OWNER shall notify the ENGINEER within 14 calendar days of the invoice date, identify the cause of the disagreement, and pay when due that portion of the statement not in dispute. If OWNER fails to make any payment due ENGINEER for services and expenses, excepting any portion of the statement in dispute, within 60 calendar days after receipt of ENGINEER's statement, the amounts due ENGINEER shall include a charge at the rate of one percent per month from the 60th day unless special arrangements have been previously made and agreed to by both parties in writing. Payment will be credited first to interest and then to principal. In the event of a disputed or contested billing, only that portion so contested may be withheld from payment, and the undisputed portion will be paid.
- 5.4 **Termination Payment.** In the event of termination by OWNER or ENGINEER under Paragraph 6.2, OWNER shall pay ENGINEER for services and expenses provided to date of termination in accordance with the methods of payment specified in Paragraph 5.1.
- 5.5 **Records of Costs.** Records of costs pertinent to ENGINEER's compensation will be kept in accordance with generally accepted accounting principles. ENGINEER is only obligated to maintain these records for a period of three years following date of final payment for services rendered under this Agreement.

SECTION 6 B GENERAL TERMS AND CONDITIONS

- 6.1 **Construction Cost**

6.1.1 **Opinions of Cost.** Since ENGINEER has no control over the cost of labor, materials, equipment, or services furnished by others, or over the Contractor's methods of determining prices, or over competitive bidding or market conditions, ENGINEER's opinions of probable construction cost provided for herein are to be made on the basis of experience and qualifications and represent ENGINEER's best judgment as an experienced and qualified professional, generally familiar with the construction industry; but ENGINEER cannot and does not guarantee that proposals, bids or actual construction cost will not vary from opinions of probable cost prepared by ENGINEER.

6.1.2 **Construction Cost Budget.** If a construction cost budget is established by written agreement between OWNER and ENGINEER and specifically set forth in this Agreement as a condition thereto, the following will apply:

6.1.2.1 The acceptance by OWNER at any time during the provision of services under this Agreement of a revised opinion of probable construction cost in excess of the then-established budget will constitute a corresponding revision in the construction cost budget to the extent indicated in such revised opinion.

6.1.2.2 Any construction cost budget so established will include a contingency of ten percent unless another amount is agreed upon in writing.

6.1.2.3 ENGINEER will be permitted to determine what materials, equipment, component systems, and types of construction are to be included in the Contract Documents and to make reasonable adjustments in the extent of the Project to bring it within the budget.

6.1.2.4 If proposals or bids have not been obtained within six months after completion of the Design Phase, the established construction cost budget will not be binding on ENGINEER, and OWNER shall consent to an adjustment in such cost limit commensurate with any applicable change in the general level of prices in the construction industry between the date of completion of the Design Phase and the date on which proposals or bids are sought.

6.1.2.5 Use of an estimated or actual construction cost of the project as a basis of payment to the ENGINEER shall not be construed to mean that a construction cost budget has been established for the Project.

6.2 **Termination.** The obligation to provide further services under this Agreement may be terminated by either party upon 30 calendar days' written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party.

6.3 **Suspension.** Upon 14 calendar days' written notice to the ENGINEER, the OWNER may suspend the ENGINEER's work. Suspension for any reason exceeding 60 calendar days shall, at the ENGINEER's option, make this Agreement subject to re-negotiation or termination as provided for elsewhere in this Agreement. Any suspension shall extend the period of service in a manner that is satisfactory to both the OWNER and the ENGINEER.

6.4 **Ownership and Reuse of Documents.**

6.4.1 Contract Documents and reports prepared by ENGINEER pursuant to this Agreement shall be the property of the OWNER. ENGINEER shall have the right to retain copies of all documents for his files.

6.4.2 Contract Documents prepared or furnished by ENGINEER and ENGINEER's independent professional associates and consultants pursuant to this Agreement are instruments of service with respect to the Project. These documents are not intended or represented to be suitable for reuse by OWNER or others on extensions of the Project or on any other project. Any reuse without written verification or adaptation by ENGINEER for the specific purpose intended will be at OWNER's sole risk and without liability or legal exposure to ENGINEER, or to ENGINEER's independent professional associates or consultants. OWNER shall indemnify and hold harmless ENGINEER and ENGINEER's independent professional associates and consultants from all claims, damages, losses, and expenses, including attorneys' fees arising out of or resulting therefrom. Any such verification or adaptation will entitle ENGINEER to further compensation at rates to be agreed upon by OWNER and ENGINEER.

6.5 **Insurance**

- 6.5.1 The **ENGINEER** maintains workmen's compensation and unemployment compensation of a form and in an amount as required by state law; comprehensive general liability with maximum limits of \$500,000 / \$1,000,000; automotive liability with maximum limits of \$500,000 / \$500,000; and professional liability insurance with an annual limit of \$500,000.
- 6.5.2 **OWNER** recognizes that the insurance market can be erratic and **ENGINEER** cannot guarantee to maintain the coverages identified above. **ENGINEER** will endeavor to do so within the context of prudent business practices and will notify the **OWNER** of any change in coverage no later than 10 calendar days after **ENGINEER** becomes aware of such change. If coverage is withdrawn or if replacement policy will afford inadequate protection and/or will require a significantly increased premium when compared to prior coverage, the **ENGINEER** and the **OWNER** shall confer as to alternatives available, if any, and shall bargain in good faith in an attempt to achieve conditions acceptable to both.
- 6.6 **Personnel and Facilities.** The **ENGINEER** has, or will secure at his own expense, personnel, equipment, and other materials and supplies required to perform the services under this **Agreement** within the period of service set forth in Section 4. **ENGINEER** may subcontract a portion of these services, but these subcontractors shall be subject to written approval by the **OWNER**. Such personnel shall not be employees of nor have contractual relationship with the **OWNER**.
- 6.7 **Accounting System.** The **ENGINEER** shall maintain an accounting system which accounts for costs in accordance with generally accepted accounting principles. The **OWNER** reserves the right to audit the **ENGINEER's** accounts which relate to services provided under this **Agreement**.
- 6.8 **Successors and Assigns.** Neither **OWNER** nor **ENGINEER** shall assign any interest in this **Agreement** without the prior written consent of the other and in no case shall assignment relieve assignor from liability under this **Agreement**. This **Agreement** shall bind the successors and legal representatives of both parties. Nothing in this **Agreement** shall give any rights or benefits to anyone other than **OWNER** and **ENGINEER**.

6.9 **Relationship.** The **OWNER** has retained **ENGINEER** to provide professional services. These parties have not entered into any joint venture or partnership with the other. The **ENGINEER** is not to be considered the agent of the **OWNER**.

6.10 **Standard of Care.** The **ENGINEER** will strive to perform services under this Agreement in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions. No other representation, express or implied, and no warranty or guarantee is included or intended in this Agreement, or in any report, opinion, document, or otherwise.

6.11 **Indemnification.**

6.11.1 To the fullest extent permitted by law, the **ENGINEER** agrees to hold harmless and indemnify **OWNER** from and against liability arising out of **ENGINEER**'s negligent performance of professional services under this Agreement. It is specifically understood and agreed that in no case shall the **ENGINEER** be required to pay an amount disproportional to **ENGINEER**'s culpability, or any share of any amount levied to recognize more than actual economic damages.

6.11.2 To the fullest extent provided by law, the **OWNER** agrees to hold harmless and indemnify **ENGINEER** from and against liability arising out of **OWNER**'s negligence. It is specifically understood and agreed that in no case shall the **OWNER** be required to pay an amount disproportional to **OWNER**'s culpability, or any share of any amount levied to recognize more than actual economic damages.

6.11.3 In the event of joint or concurrent negligence of **ENGINEER** and **OWNER**, each shall bear that portion of the loss or expense that its share of the joint or concurrent negligence bears to the total negligence (including that of third parties) which caused the personal injury or property damage.

6.11.4 The **OWNER** shall not be liable to the **ENGINEER** and the **ENGINEER** shall not be liable to the **OWNER** for any special, incidental or consequential damages, including, but not limited to, loss of use and loss of profit, incurred by either party due to the fault of the other, regardless of the nature of this fault, or whether it was committed by the **OWNER**, or the **ENGINEER** or their employees, agents, or subcontractors.

- 6.12 **Recovery of Dispute Resolution Costs.** In the event that legal action is brought by either party against the other, the prevailing party shall be reimbursed by the other for the prevailing party's legal costs, in addition to whatever other judgments or settlement amounts, if any, may be due.
- 6.13 **Compliance with Codes and Standards.** The ENGINEER's professional services shall incorporate those publicly announced federal, state, and local laws, regulations, codes, and standards that are applicable at the time the services are rendered. In the event of a change in a law, regulation, et al., the ENGINEER shall assess its impact. If, in the ENGINEER's professional opinion, the impact is such to significantly affect the ENGINEER's compensation or the period of service, then the compensation and/or period of service can be renegotiated.
- 6.14 **Force Majeure.** Neither OWNER nor ENGINEER shall be liable for faults or delays caused by any contingency beyond his control, including, but not limited to, acts of God, wars, strikes, walkouts, fires, natural calamities, or demands or requirements of governmental agencies.
- 6.15 **Separate Provisions.** If any provisions of this Agreement are held to be invalid or unenforceable, the remaining provisions shall be valid and binding.
- 6.16 **Risk Allocation.** The OWNER recognizes that ENGINEER's fee includes allowance for funding a variety of risks which affect the ENGINEER by virtue of his agreeing to perform services on the OWNER's behalf. One of these risks stems from the ENGINEER's potential for human error. In order for the OWNER to obtain the benefits of a fee which includes a lesser allowance for risk funding, the OWNER agrees to limit the ENGINEER's liability to the OWNER and all contractors arising from the ENGINEER's professional acts, errors, or omissions, such that the total aggregate liability of the ENGINEER to all those named shall not exceed \$50,000 or the ENGINEER's total fee for services rendered on this project, whichever is greater.
- 6.17 **Period of Repose.** Any applicable statute of limitations shall commence to run and any alleged course of action shall be deemed to have accrued not later than the completion of services to be performed by ENGINEER.
- 6.18 **Conflicts.** In the event of a conflict between the main text of this Agreement and any appendix thereof, provisions of the main text shall govern.

EXHIBIT C

- 6.18 **Conflicts.** In the event of a conflict between the main text of this Agreement and any appendix thereof, provisions of the main text shall govern.
- 6.19 **Third Party Exclusion.** This Agreement shall not create any rights or benefits to parties other than the OWNER and ENGINEER except other such rights as may be specifically called for herein.
- 6.20 **Hazardous Materials**
- 6.20.1 When hazardous materials are known, assumed or suspected to exist at a project site, ENGINEER is required to take appropriate precautions to protect the health and safety of his personnel, to comply with the applicable laws and regulations, and to follow procedures deemed prudent to minimize physical risks to employees and the public. OWNER hereby warrants that, if he knows or has any reason to assume or suspect that hazardous materials may exist at the project site, he will inform ENGINEER in writing prior to initiation of services under this Agreement.
- 6.20.2 Hazardous materials may exist at a site where there is no reason to believe they could or should be present. OWNER agrees that the discovery of unanticipated hazardous materials constitutes a changed condition mandating a renegotiation of the scope of work or termination of services. ENGINEER agrees to notify OWNER as soon as practically possible should unanticipated hazardous materials or suspected hazardous materials be encountered. OWNER waives any claim against ENGINEER and agrees to indemnify, defend, and hold ENGINEER harmless from any claim or liability for injury or loss arising from ENGINEER'S encountering unanticipated hazardous materials or suspected hazardous materials. OWNER also agrees to compensate ENGINEER for any time spent and expenses incurred by ENGINEER in defense of any such claim.
- 6.20.3 **21 Anticipated Change Orders.** OWNER recognizes and expects that a certain amount of imprecision and incompleteness is to be expected in Contract Documents; that all details of a completed project are not intended to be covered in the Contract Documents; that a certain amount of errors, omissions, ambiguities, and inconsistencies are to be expected in Contract Documents; that contractors are expected to furnish and perform work, materials, and equipment

that may reasonably be inferred from the Contract Documents or from the prevailing custom or trade usage as being required to produce the intended result whether or not specifically called for; and that a certain amount of Change Orders are to be expected. As long as ENGINEER provides services within professional standards and the standard of care of ENGINEER's profession in accordance with Paragraph 6.10, OWNER agrees not to make any claim against ENGINEER for cost of these Change Orders unless these costs become a significant part of the construction contract amount. In no case will OWNER make claim against ENGINEER for costs incurred if the Change Order work is a necessary part of the Project for which OWNER would have incurred costs if work had been included originally in the Contract Documents unless OWNER can demonstrate that such costs were higher through issuance of the Change Order than they would have been if originally included in the Contract Documents in which case any claim of OWNER against ENGINEER will be limited to the cost increase and not the entire cost of the Change Order.

- 6.22 **Governing Law.** The laws of the State of Mississippi will govern the validity of this Agreement, its interpretations and performance, and remedies for any claims related to this Agreement.
- 6.23 The ENGINEER authorizes Charles H. Hill, Registered Professional Engineer, License No. 11087 in the State of Mississippi, to act on his behalf for this Project.

SECTION 7 B DEFINITIONS

As used herein, the following words and phrases have the meanings indicated, unless otherwise specified in various sections of this Agreement:

- 7.1 **Addenda.** Written or graphic instruments issued prior to the opening of bids which clarify, correct, or change the bidding documents or the Contract Documents.
- 7.2 **Agreement.** This Contract, including all exhibits and documents included by reference.
- 7.3 **Application for Payment.** The form accepted by ENGINEER which is to be used by Contractor in requesting progress or final payments and which is to include such supporting documentation as is required by the Contract Documents.
- 7.4 **Bid.** The offer or proposal of the bidder submitted on the prescribed form setting forth the prices for the construction work to be performed.

- 7.5 **Change Order.** A document recommended by ENGINEER which is signed by Contractor and OWNER and authorizes an addition, deletion, or revision in the construction work, or an adjustment in the contract price or the contract time, issued on or after the effective date of the construction contract.
- 7.6 **Contract Documents.** The drawings and specifications, addenda, and other documents required to obtain bids from contractors for construction of the Project.
- 7.7 **Contractor.** The person, firm, or corporation with whom OWNER has entered into a Contract for construction of the Project.
- 7.8 **Construction Cost.** Total cost of entire Project to OWNER not including ENGINEER's compensation and expenses, cost of land and rights-of-way, or compensation for or damages to properties, unless this Agreement so specifies; nor will it include OWNER's legal, accounting, insurance counseling, or auditing services, or interest and financing charges incurred in connection with the Project or the cost of services to be provided by others to OWNER pursuant to Section 3 of this Agreement.
- 7.9 **Direct Labor Costs.** Salaries and wages paid to ENGINEER's personnel engaged directly on the Project, including engineers, draftsmen, technicians, designers, surveyors, resident project representatives, and other technical and administrative personnel; but does not include indirect payroll related costs or fringe benefits.
- 7.10 **Drawings.** The drawings which show the character and scope of the Project and which have been prepared or approved by ENGINEER and are referred to in the Contract Documents.
- 7.11 **Reimbursable Expenses.** Actual expenses incurred by ENGINEER directly in connection with providing services for the Project. These include, but are not limited to, transportation and subsistence; reproduction and printing; communications; postage, and express mail; equipment rental; and expense of computers and other specialized equipment.
- 7.12 **Resident Project Representative.** The authorized representative of ENGINEER who is assigned to the construction site or any part thereof for the purpose of observing the performance of the work of the Contractor.
- 7.13 **Shop Drawings.** All drawings, diagrams, illustrations, schedules, and other data which are specifically prepared by or for Contractor to illustrate some portion of the work and

all illustrations, brochures, standard schedules, and other information prepared by a Supplier and submitted by Contractor to illustrate material or equipment for some portion of the Project.

- 7.14 **Specifications.** Those portions of the Contract Documents consisting of written technical descriptions of materials, equipment, construction systems, standards, and workmanship as applied to the Project and certain administrative details applicable thereto.
- 7.15 **Subcontractor.** An individual, firm, or corporation having a direct contract with contractor or with any other subcontractor for the performance of a part of the Project at the site.
- 7.16 **Supplier.** A manufacturer, fabricator, supplier, distributor, materialman, or vendor of products or equipment used in construction of the project.

SECTION 8 a SPECIAL PROVISIONS AND EXHIBITS

- 8.1 This Agreement is subject to the following Special Provisions:
- 8.2 The following Exhibits are attached to and made a part of this Agreement:
- 8.2.1 Exhibit A, "Project Description"
- 8.2.2 Exhibit B, "Scope of Design Phase Services"
- 8.2.3 Exhibit C, "Scope of Construction Phase Services"
- 8.2.4 Exhibit D, "Project Schedule"
- 8.2.6 Exhibit E, "Payments to Engineer"
- 8.3 This Agreement, consisting of Pages 1 to 20 inclusive, together with the Exhibits identified above, constitute the entire agreement between OWNER and ENGINEER and supersede all prior written and oral understandings. This Agreement and said Exhibits may only be amended, supplemented, modified, or canceled through a duly executed written instrument.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the day and year first written above.

OWNER: CITY OF PICAYUNE

ENGINEER: NEEL-SCHAFFER, INC.

K. Nelson Lucius, P.E.
Senior Vice President

WITNESS

EXHIBIT A

PROJECT DESCRIPTION

This project's components will include:

- Tennis Complex
- Baseball/Softball Complex
- Soccer Complex
- Pee-Wee Football Complex
- Pavilion/Offices
- Site Clearing
- Site Grading
- Structural Fill
- Site Utilities
- Access Road
- Parking

The basic services will include:

- Refine Conceptual Design and Prepare Schematic Design
- Preliminary Design
- Final Design
- Cost Estimates for Each Phase of Design
- Bidding and Negotiation
- Construction Phase Services

Other services will include:

- Geotechnical Investigations

EXHIBIT B

SCOPE OF DESIGN PHASE SERVICES

1.1 **Preliminary Design Phase.** After execution of the Agreement, the Preliminary Design Phase will be initiated and the ENGINEER shall:

- 1.1.1 Consult with the OWNER to clarify and define the OWNER's requirements for the Project.
- 1.1.2 Assemble and review available data which may be pertinent to the Project.
- 1.1.3 Make surveys needed for design of the Project, including locating utilities which are visually apparent. Establish horizontal and vertical control as necessary for construction of the Project.
- 1.1.4 Subsurface explorations and geotechnical analyses. Perform subsurface explorations and geotechnical analyses to determine general subsurface conditions and parameters for final design of the Project. The OWNER

recognizes that even a comprehensive sampling and testing program implemented by trained and experienced personnel with appropriate equipment may fail to detect certain hidden conditions. OWNER also recognizes that actual environmental, geological and geotechnical conditions that ENGINEER properly inferred to exist between sampling points may differ significantly from those that actually exist.

- 1.1.5 Identify and analyze requirements of governmental authorities having jurisdiction to approve the Project with whom consultation is to be undertaken in connection with the Project.
- 1.1.6 Prepare preliminary design documents consisting of final design criteria, preliminary drawings and outline specifications.
 - 1.1.7 Develop criteria for rights-of-way, working easements and permanent easements. Indicate preliminary rights-of-way and easement requirements on drawings. Determine apparent ownership of property where easements are required.
 - 1.1.8 Locate telephone, electric power, gas, water, sewer and other utilities which will affect the Project from information provided by the OWNER and utility companies and from ENGINEER's surveys. In that these utility locations are based, at least in part, on information from others, ENGINEER cannot and does not warrant their completeness or accuracy.
 - 1.1.9 Based on the information contained in the preliminary design documents, prepare an opinion of probable construction costs.
 - 1.1.10 Furnish three copies of above preliminary design documents to OWNER for review.
 - 1.1.11 Schedule progress meetings as required to effectively coordinate with the OWNER; prepare minutes of these progress meetings; and prepare a design progress report monthly for the preceding month's work which shall accompany ENGINEER's monthly statement.
 - 1.1.12 ENGINEER's services under the Preliminary Design Phase will be considered complete no later than 30 days after the date when preliminary design documents are delivered to the OWNER plus such additional time as may be considered reasonable for obtaining approval of governmental authorities having jurisdiction to approve the preliminary design documents, if such approval is to be obtained during the Preliminary Design Phase.
- 1.2 **Final Design Phase.** After receiving written authorization to proceed with the Final Design Phase, the ENGINEER shall:
 - 1.2.1 Modify preliminary design documents as necessary to reflect OWNER's comments.
 - 1.2.2 Perform detailed design.
 - 1.2.3 On the basis of approved preliminary design documents (including OWNER's comments) and detailed design, prepare final design documents to include final construction drawings, specifications and Contract Documents.

EXHIBIT C

- 1.2.4 Conduct plan-in-hand inspection of the project site with OWNER and representatives of governmental agencies which may have jurisdiction over the Project.
- 1.2.5 Meet as necessary with representatives of utility companies to resolve utility issues.
- 1.2.6 Prepare a project notebook containing copies of all design calculations, equipment and component data sheets, manufacturer's catalog cuts, survey books/notes, correspondence and other information.
- 1.2.7 Based on information contained in the final design documents, prepare a revised opinion of probable construction costs.
- 1.2.8 Provide technical criteria, written descriptions and design data for OWNER's use in filing applications for permits with or obtaining approvals of such governmental authorities as have jurisdiction to review or approve the final design of the Project and assist OWNER in consultations with appropriate authorities.
- 1.2.9 Furnish three sets of the above final design documents to the OWNER for review and approval.
- 1.2.10 Schedule progress meetings as required to effectively coordinate with the OWNER; prepare minutes of these progress meetings; and prepare a design progress report monthly for the preceding month's work which shall accompany ENGINEER's monthly statement.
- 1.2.11 ENGINEER's services under the Final Design Phase will be considered complete at the earlier of (1) the date when the final design documents have been accepted by the OWNER, or (2) 30 days after the date when the final design documents are delivered to the OWNER for final acceptance, plus in each case such additional time as may be considered reasonable for obtaining approval of governmental authorities having jurisdiction to approve the final design documents if such approval is to be obtained during the Final Design Phase.

EXHIBIT C

SCOPE OF CONSTRUCTION PHASE SERVICES

1.0 BIDDING AND CONTRACTING PHASE

After the OWNER has authorized the project for bidding, the Bidding and Contracting Phases will be initiated and the ENGINEER shall:

- 1.1 Prepare and issue Contract Documents to prospective bidders, and maintain a record of their issuance.

- 1.2.4 Conduct plan-in-hand inspection of the project site with **OWNER** and representatives of governmental agencies which may have jurisdiction over the Project.
- 1.2.5 Meet as necessary with representatives of utility companies to resolve utility issues.
- 1.2.6 Prepare a project notebook containing copies of all design calculations, equipment and component data sheets, manufacturer's catalog cuts, survey books/notes, correspondence and other information.
- 1.2.7 Based on information contained in the final design documents, prepare a revised opinion of probable construction costs.
- 1.2.8 Provide technical criteria, written descriptions and design data for **OWNER's** use in filing applications for permits with or obtaining approvals of such governmental authorities as have jurisdiction to review or approve the final design of the Project and assist **OWNER** in consultations with appropriate authorities.
- 1.2.9 Furnish three sets of the above final design documents to the **OWNER** for review and approval.
- 1.2.10 Schedule progress meetings as required to effectively coordinate with the **OWNER**; prepare minutes of these progress meetings; and prepare a design progress report monthly for the preceding month's work which shall accompany **ENGINEER's** monthly statement.
- 1.2.11 **ENGINEER's** services under the Final Design Phase will be considered complete at the earlier of (1) the date when the final design documents have been accepted by the **OWNER**, or (2) 30 days after the date when the final design documents are delivered to the **OWNER** for final acceptance, plus in each case such additional time as may be considered reasonable for obtaining approval of governmental authorities having jurisdiction to approve the final design documents if such approval is to be obtained during the Final Design Phase.

EXHIBIT C

SCOPE OF CONSTRUCTION PHASE SERVICES

1.0 BIDDING AND CONTRACTING PHASE

After the **OWNER** has authorized the project for bidding, the Bidding and Contracting Phases will be initiated and the **ENGINEER** shall:

- 1.1 Prepare and issue Contract Documents to prospective bidders, and maintain a record of their issuance.

EXHIBIT C

- 1.2 Prepare and issue Addenda as appropriate to interpret, clarify, correct or expand Contract Documents to each known procurer of the Contract Documents.
- 1.3 Provide information on the general scope, unusual conditions and desired sequence of construction as requested by procurers of Contract Documents.
- 1.4 Conduct a pre-bid conference if requested by the OWNER.
- 1.5 Assist the OWNER in advertising for and obtaining bids for the contract for construction.
- 1.6 Consult with and advise the OWNER as to the acceptability of subcontractors, suppliers, and other persons or organizations proposed by the prime Contractor as required by the Contract Documents.
- 1.7 Consult with and advise the owner as to the acceptability of substitute materials and equipment proposed by the Contractor when substitution prior to the award of contracts is allowed by the Contract Documents.
- 1.8 Attend the bid opening, prepare bid tabulation sheets and assist owner in evaluating bids.
- 1.9 Assist the OWNER in the preparation of the documents necessary to complete the award.
- 1.10 Conduct a preconstruction conference.
- 1.11 The Bidding and Contracting Phase will be considered complete upon commencement of the Construction Phase or upon cessation of negotiations with prospective contractors.

2.0 CONSTRUCTION PHASE

During the Construction Phase:

- 2.1 **General Administration of Construction Contract.** ENGINEER shall consult with and advise OWNER and act as OWNER'S representative; shall issue all instructions of OWNER to Contractor; and shall act as initial interpreter of the Contract Documents and judge of the acceptability of the work thereunder.
- 2.2 **Visits to Site and Observation of Construction.** ENGINEER shall make visits to the site at intervals appropriate to the various stages of construction as he deems necessary in order to observe as an experienced and qualified design professional the progress and quality of the various aspects of Contractor's work. Based on information obtained during such visits and on such observations, ENGINEER shall endeavor to determine in general if such work is proceeding in accordance with the Contract Documents and shall keep OWNER informed of the progress of the work. The purpose of ENGINEER'S visits to the site will be to enable him to carry out the duties and responsibilities assigned to and undertaken by him during the Construction Phase, and, in addition, through his experience as a qualified design professional, to provide for OWNER a greater

degree of confidence that the completed work of Contractor will conform generally to the Contract Documents and that the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents has been implemented and preserved by Contractor. On the other hand, ENGINEER shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct or have control over Contractor's work; nor shall ENGINEER have authority over or responsibility for the means, methods, techniques, sequences or procedures of construction selected by Contractor, for safety precautions and programs incident to the work of Contractor or for any failure of Contractor to comply with laws, rules, regulations, ordinances, codes or orders applicable to Contractor's furnishing and performing the work. Accordingly, ENGINEER can neither guarantee the performance of the construction contract by Contractor nor assume responsibility for Contractor's failure to furnish and perform his work in accordance with the Contract Documents.

- 2.3 **Defective Work.** During such site visits and on the basis of such observations, ENGINEER may recommend to the OWNER disapproval or rejection of Contractor's work if ENGINEER believes that such work will not produce a completed Project which conforms generally with the Contract Documents or that it will prejudice the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents.
- 2.4 **Clarifications and Interpretations; Change Orders.** ENGINEER shall issue necessary clarifications and interpretations of the Contract Documents as appropriate to the orderly completion of the work. Such clarifications and interpretations will be consistent with the intent of and reasonably inferable from the Contract Documents. In connection therewith, if appropriate, ENGINEER shall recommend Change Orders to OWNER and shall prepare Change Orders as required.
- 2.5 **Shop Drawings.** ENGINEER shall review and approve (or take other appropriate action in respect of) Shop Drawings, samples and other data which Contractor is required to submit, but only for conformance with the design concept of the completed Project as a functioning whole as indicated in the Contract Documents and compliance with the information given in the Contract Documents. Such reviews and approvals or other action shall not extend to means, methods, techniques, sequences or procedures of construction or to safety precautions and programs incident thereto.
- 2.6 **Substitutes.** ENGINEER shall evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor.
- 2.7 **Inspections and Tests.** ENGINEER shall have authority, as OWNER'S representative, to require special inspection or testing of the work, and shall receive and review all certificates of inspections, testings and approvals required by laws, rules, regulations, ordinances, codes, orders or the Contract Documents (but only to determine generally that their content complies with the requirements of, and the results certified indicate compliance with, the Contract Documents).

EXHIBIT C

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- 2.5 **Shop Drawings.** ENGINEER shall review and approve (or take other appropriate action in respect of) Shop Drawings, samples and other data which Contractor is required to submit, but only for conformance with the design concept of the completed Project as a functioning whole as indicated in the Contract Documents and compliance with the information given in the Contract Documents. Such reviews and approvals or other action shall not extend to means, methods, techniques, sequences or procedures of construction or to safety precautions and programs incident thereto.
- 2.6 **Substitutes.** ENGINEER shall evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor.
- 2.7 **Inspections and Tests.** ENGINEER shall have authority, as OWNER'S representative, to require special inspection or testing of the work, and shall receive and review all certificates of inspections, testings and approvals required by laws, rules, regulations, ordinances, codes, orders or the Contract Documents (but only to determine generally that their content complies with the requirements of, and the results certified indicate compliance with, the Contract Documents).

- 2.8 **Applications for Payment.** Based on ENGINEER'S on-site observations as an experienced and qualified design professional and on review of applications for payment and the accompanying data and schedules:
- 2.8.1 ENGINEER shall determine the amounts owed to Contractor and recommend in writing payments to Contractor in such amounts. Such recommendations of payment will constitute a representation to OWNER, based on such observations and review, that the work has progressed to the point indicated, and that, to the best of ENGINEER'S knowledge, information and belief, the quality of such work is generally in accordance with the Contract Documents. In the case of unit price work, ENGINEER'S recommendations of payment will include final determinations of quantities and classification of such work (subject to any subsequent adjustments allowed by the Contract Documents).
- 2.8.2 By recommending any payment, ENGINEER shall not thereby be deemed to have represented that on-site observations made by ENGINEER to check the quality or quantity of Contractor's work as it is performed and furnished have been exhaustive, extended to every aspect of the work in progress, or involved detailed inspections of the work beyond the responsibilities specifically assigned to the ENGINEER in this Agreement and the Contract Documents. ENGINEER'S review of Contractor's work for the purposes of recommending payments will not impose on ENGINEER responsibility to supervise, direct or control such work or for the means, methods, techniques, sequences, or procedures of construction or safety precautions or programs incident thereto or Contractor's compliance with laws, rules, regulations, ordinances, codes or orders applicable to their furnishing and performing the work. It will also not impose responsibility on ENGINEER to make any examination to ascertain how or for what purposes any Contractor has used the monies paid on account of the contract price, or to determine that title to any of the work, materials or equipment has passed to OWNER free and clear of any lien, claims, security interests or encumbrances, or that there may not be other matters at issue between OWNER and Contractor that might affect the amount that should be paid.
- 2.9 **Contractor's Completion Documents.** ENGINEER shall receive, review and transmit to OWNER with written comments maintenance and operating instructions, schedules, guarantees, bonds and certificates of inspection, tests and approvals which are to be assembled by Contractor in accordance with the Contract Documents (but such review will only be to determine that their content complies with the requirements of the Contract Documents); and shall transmit them to OWNER with written comments.
- 2.10 **Substantial Completion.** Following notice from Contractor that Contractor considers the entire work ready for its intended use, ENGINEER and OWNER, accompanied by Contractor, shall conduct an inspection to determine if the work is substantially complete. If, after considering any objections of OWNER, ENGINEER considers the work substantially complete, ENGINEER shall deliver a certificate of substantial completion to OWNER and Contractor.

- 2.11 **Final Notice of Acceptability of the Work.** ENGINEER shall conduct a final inspection to determine if the completed work of Contractor is acceptable so that ENGINEER may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, ENGINEER shall also provide a notice that the work is acceptable to the best of ENGINEER'S knowledge, information and belief and based on the extent of the services performed and furnished by ENGINEER under this Agreement.

- 2.12 **Record Documents.** Upon completion of the work, the ENGINEER shall compile for and deliver to the OWNER a complete set of record documents conforming to information furnished to the ENGINEER by the Contractor. This set of documents shall consist of record specifications and reproducible record drawings showing the reported location of the work. In that record documents are based on information provided by others, the ENGINEER cannot and does not warrant their accuracy.

- 2.13 **Limitation of Responsibilities.** ENGINEER shall not be responsible for the acts or omissions of any Contractor, or of any subcontractor, any supplier, or of any other person or organization at the site or otherwise furnishing or performing any of the work. ENGINEER shall not be responsible for Contractor's failure to perform or furnish the work in accordance with the Contract Documents.

- 2.14 **Progress Meetings and Reports.** During construction, the ENGINEER will schedule and conduct monthly progress meetings with the OWNER, Contractor and appropriate subcontractors, if any, to discuss progress, scheduling problems, conflicts and observations of all parties involved. ENGINEER shall also prepare minutes of the meeting. ENGINEER shall also prepare a construction progress report monthly which shall be submitted to OWNER by the 10th day of each month for the preceding month's work. This report shall accompany the Contractor's and ENGINEER'S monthly payment requests.

- 2.15 **Duration of Construction Phase.** The Construction Phase will commence with the execution of the construction contract for the Project or any part thereof and will terminate upon written recommendation by ENGINEER of final payment and submission of record documents to OWNER.

3.0 SCOPE OF RESIDENT PROJECT REPRESENTATIVE SERVICES

ENGINEER shall furnish a Resident Project Representative (RPR), assistants and other field staff to assist ENGINEER in observing progress and quality of the work of the Contractor.

Through more extensive on-site observations of the work in progress and field checks of materials and equipment by the RPR and assistants, ENGINEER shall endeavor to provide further protection for OWNER against defects and deficiencies in the work of the Contractor; but, the furnishing of such services will not make ENGINEER responsible for or give him control over construction means, methods, techniques, sequences or procedures or for safety precautions or programs, or responsibility for Contractor's failure to perform the work in accordance with the Contract Documents.

The duties and responsibilities of the RPR are limited to those of the ENGINEER in his agreement with the OWNER and in the construction Contract Documents, and are further limited and described as follows:

3.1 General

RPR is ENGINEER'S agent at the site and will act as directed by and under the supervision of ENGINEER and will confer with ENGINEER regarding RPR's actions. RPR's dealings in matters pertaining to the on-site work shall in general be with ENGINEER and Contractor keeping OWNER advised as necessary. RPR's dealings with subcontractors shall only be through or with the full knowledge and approval of Contractor. RPR shall generally communicate with OWNER with the knowledge of and under the direction of ENGINEER.

3.2 Duties and Responsibilities of RPR

3.2.1 Schedules. Review the progress schedule and schedule of Shop Drawing submittals prepared by Contractor and consult with ENGINEER concerning acceptability.

knowledge and approval of Contractor. RPR shall generally communicate with OWNER with the knowledge of and under the direction of ENGINEER.

3.2 Duties and Responsibilities of RPR

3.2.1 Schedules. Review the progress schedule and schedule of Shop Drawing submittals prepared by Contractor and consult with ENGINEER concerning acceptability.

3.2.2 Conferences and Meetings. Attend meetings with Contractor, such as preconstruction conferences, progress meetings, job conferences and other project-related meetings, and prepare and circulate copies of minutes thereof.

3.2.3 Liaison

3.2.3.1 Serve as ENGINEER'S liaison with Contractor, working principally through Contractor's superintendent and assist in understanding the intent of the Contract Documents; and assist ENGINEER in serving as OWNER'S liaison with Contractor when Contractor's operations affect OWNER'S on-site operations.

3.2.3.2 Assist in obtaining from OWNER additional details or information, when required for proper execution of the work.

3.2.4 Shop Drawings and Samples

3.2.4.1 Record date of receipt of Shop Drawings and samples.

3.2.4.2 Receive samples which are furnished at the site by Contractor, and notify ENGINEER of availability of samples for examination.

3.2.4.3 Advise ENGINEER and Contractor of the commencement of any work requiring a Shop Drawing or sample if the submittal has not been approved by ENGINEER.

3.2.5 Review of Work, Rejection of Defective Work, Inspections and Tests

3.2.5.1 Conduct on-site observations of the work in progress to assist ENGINEER in determining if the work is in general proceeding in accordance with the Contract Documents.

3.2.5.2 Report to ENGINEER whenever RPR believes that any work will not produce a completed Project that conforms generally to the Contract Documents or will prejudice the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents, or has been damaged, or does not meet the requirements of any inspection, test or approval required to be made; and advise ENGINEER of work that RPR

believes should be corrected or rejected or should be uncovered for observation, or requires special testing, inspection or approval.

3.2.5.3 Verify that tests, equipment and systems startups and operating appropriate personnel, and that Contractor maintains adequate and maintenance training are conducted in the presence of records thereof; and observe, record and report to ENGINEER appropriate details relative to the test procedures and startups.

3.2.5.4 Accompany visiting inspectors representing public or other agencies having jurisdiction over the Project, record the results of these inspections and report these results to ENGINEER.

3.2.6 **Interpretation of Contract Documents.** Report to ENGINEER when clarifications and interpretations of the Contract Documents are needed and transmit to Contractor clarifications and interpretations as issued by ENGINEER.

3.2.7 **Modifications.** Consider and evaluate Contractor's suggestions for modifications in Drawings or Specifications and report with RPR's recommendations to ENGINEER. Transmit to Contractor in writing decisions as issued by ENGINEER.

3.2.8 **Records**

3.2.8.1 Maintain at the job site orderly files for correspondence, reports of job conferences, Shop Drawings and samples, reproductions of original Contract Documents including all addenda, Change Orders, additional Drawings issued subsequent to the execution of the Contract, ENGINEER'S clarifications and interpretations of the Contract Documents, progress reports, Shop Drawing submittals received from and delivered to Contractor and other Project related documents.

RECESSED MEETING DATED MAY 30, 2003

- 3.2.5.1 Conduct on-site observations of the work in progress to assist **ENGINEER** in determining if the work is in general proceeding in accordance with the Contract Documents.
- 3.2.5.2 Report to **ENGINEER** whenever RPR believes that any work will not produce a completed **Project** that conforms generally to the Contract Documents or will prejudice the integrity of the design concept of the completed **Project** as a functioning whole as indicated in the Contract Documents, or has been damaged, or does not meet the requirements of any inspection, test or approval required to be made; and advise **ENGINEER** of work that RPR believes should be corrected or rejected or should be uncovered for observation, or requires special testing, inspection or approval.
- 3.2.5.3 Verify that tests, equipment and systems startups and operating appropriate personnel, and that Contractor maintains adequate and maintenance training are conducted in the presence of records thereof; and observe, record and report to **ENGINEER** appropriate details relative to the test procedures and startups.
- 3.2.5.4 Accompany visiting inspectors representing public or other agencies having jurisdiction over the **Project**, record the results of these inspections and report these results to **ENGINEER**.
- 3.2.6 **Interpretation of Contract Documents.** Report to **ENGINEER** when clarifications and interpretations of the Contract Documents are needed and transmit to Contractor clarifications and interpretations as issued by **ENGINEER**.
- 3.2.7 **Modifications.** Consider and evaluate Contractor's suggestions for modifications in Drawings or Specifications and report with RPR's recommendations to **ENGINEER**. Transmit to Contractor in writing decisions as issued by **ENGINEER**.
- 3.2.8 **Records**
- 3.2.8.1 Maintain at the job site orderly files for correspondence, reports of job conferences, Shop Drawings and samples, reproductions of original Contract Documents including all addenda, Change Orders, additional Drawings issued subsequent to the execution of the Contract, **ENGINEER'S** clarifications and interpretations of the Contract Documents, progress reports, Shop Drawing submittals received from and delivered to Contractor and other **Project** related documents.
- 3.2.8.2 Prepare a daily report or keep a diary or logbook, recording Contractor's hours on the job site, weather conditions, data relative to questions of Change Orders or changed conditions, list of job site visitors, daily activities, decisions, observations in

RECESSED MEETING DATED MAY 30, 2003

general, and specific observations in more detail as in the case of observing test procedures; and send copies to ENGINEER.

3.2.8.3 Record names, addresses and telephone numbers of all Contractors, subcontractors and major suppliers of materials and equipment.

3.2.9 Reports

3.2.9.1 Furnish ENGINEER periodic reports as required of progress of the work and of Contractor's compliance with the progress schedule and schedule of Shop Drawings and sample submittals.

3.2.9.2 Consult with ENGINEER in advance of scheduled major tests, inspections or start of important phases of the work.

3.2.9.3 Draft and recommend to ENGINEER proposed Change Orders, obtaining backup material from Contractor.

3.2.9.4 Report immediately to ENGINEER and OWNER the occurrence of any accident.

3.2.10 **Payment Requests.** Review applications for payment with Contractor for compliance with the established procedure for submission and forward with recommendations to ENGINEER, noting particularly the relationship of the payment requested to the work completed and materials and equipment delivered at the site but not incorporated in the work.

3.2.11 **Certificates, Maintenance and Operation Manuals.** During the course of the work, verify that certificates, maintenance and operation manuals and other data required to be assembled and furnished by Contractor are applicable to the items actually installed and in accordance with the Contract Documents, and have this material delivered to ENGINEER for review and forwarding to OWNER prior to final payment for the work.

3.2.12 Completion

3.2.12.1 Before ENGINEER certifies substantial completion, submit to Contractor a list of observed items requiring completion or correction.

3.2.12.2 Observe whether Contractor has performed inspections required by laws, rules, regulations, ordinances, codes, or orders applicable to the work, including but not limited to those to be performed by public agencies having jurisdiction over the work.

RECESSED MEETING DATED MAY 30, 2003

3.2.12.3 Conduct a final inspection in the company of **ENGINEER, OWNER**, and Contractor and prepare a final list of items to be completed or corrected.

3.2.12.4 Observe whether all items on final list have been completed or corrected and make recommendations to **ENGINEER** concerning acceptance.

3.3 Limitations of Authority**Resident Project Representative:**

3.3.1 Shall not authorize any deviation from the Contract Documents or substitution of materials or equipment (including "or-equal" items), unless authorized by **ENGINEER**.

3.3.2 Shall not exceed limitations of **ENGINEER'S** authority as set forth in the Contract Documents and this **Agreement**.

3.3.3 Shall not undertake any of the responsibilities of Contractor, subcontractors, suppliers or Contractor's superintendent.

3.3.4 Shall not advise on, issue directions relative to, or assume control over any aspect of the means, methods, techniques, sequences or procedures of construction unless such advice or directions are specifically required by the Contract Documents.

3.3.5 Shall not advise on, issue directions regarding to, or assume control over safety precautions and programs in connection with the work.

3.3.6 Shall not accept Shop Drawings or sample submittals from anyone other than Contractor.

3.3.7 Shall not authorize **OWNER** to occupy the **Project** in whole or in part.

3.3.8 Shall not participate in specialized field or laboratory tests or inspections

**EXHIBIT D
PROJECT SCHEDULE**

The time periods for performances of Basic Services specified in Section 1, **Exhibit B, AScope of Design Phase Services**; and **Exhibit C, AScope of Construction Phase Services** are stipulated as indicated below:

1.1 Proposed Sewer Improvements

1.1.1 Preliminary Design Phase services will be completed and **ENGINEER's** documentation and opinion of probable construction costs will be submitted within 60 days of notice to proceed.

RECESSED MEETING DATED MAY 30, 2003

- 1.1.2 Final Design Phase services will be completed and ENGINEER=s documentation and revised opinion of probable construction costs will be submitted within 60 days of OWNER=s approval of the preliminary design.
- 1.1.3 Bidding and Contracting Phase services will begin with issuance of notice to proceed to the CONTRACTOR and will end with holding of the preconstruction conference.
- 1.1.4 Construction and Resident Phase services will begin with issuance of notice to proceed to the CONTRACTOR and will extend for a period of time including the CONTRACTOR=s time for performance as specified in the Contract Documents. Construction Phase services shall extend an additional 30 days to prepare and process completion documents and record drawings. EXHIBIT E

PAYMENTS TO ENGINEER

- 1.1 **Basic Services.** OWNER shall pay ENGINEER for Basic Services rendered under Section 1, as supplemented by Exhibit B, aScope of Design Phase Services, Exhibit C, and aScope of Construction Phase Services@ the following fees:

- 1.1.1 Develop Final Master Plan including construction phasing, conceptual grading and utility plans and opinion of probable construction cost Fixed fee of \$10,000.00.

The following services will not commence until the Final Master Plan is approved.

- 1.1.2 Design Phase Services (Including surveys and geotechnical) Fee based on 7% of construction cost.
- 1.1.3 Construction Phase Services Fee based on 5% of construction cost.
- 1.2 **For Additional Services.** OWNER shall pay ENGINEER for Additional Services rendered under Section 2 on the basis of ENGINEER=s Direct Labor Cost times a factor of 2.8 plus Reimbursable Expenses. Subconsultants will be billed at actual cost times a factor of 1.1. Such Additional Services include but may not be limited to:

- 1.2.1 Easement services related to property acquisition.
- 1.2.2 Resident Project Representation services beyond the initially awarded time of construction period. (Hourly Rate of \$45.00 per hour plus reimbursables).

ORDER TO ADJOURN

Motion was made by Council Member Bounds and seconded by Council Member Guy to adjourn. The following roll call vote was taken:

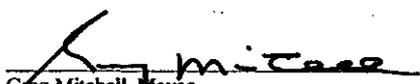
VOTING YEA: Mayor Mitchell, Council Members Roberson, Bounds, Guy, and Parker

ABSENT AND NOT VOTING: Council Members Watts

RECESSED MEETING DATED MAY 30, 2003

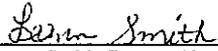
VOTING NAY: None

The motion was declared carried.



Greg Mitchell, Mayor

ATTEST:



Leann Smith, Deputy City Clerk

June 3, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, June 3, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Kathy Watts, Leavern Guy, Sr. and Jerry Bounds, City Manager J.P. Burns, Jr., Deputy Clerk, Leann Smith, Deputy Clerk Michelle Berdux, City Attorney Nathan Farmer, Major David Ervin, and Fire Chief Keith Brown.

It Being Determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Major David Ervin, followed by the Pledge of Allegiance, led by: Council Member Kathy Watts

ORDER TO REMOVE ITEMS FROM CONSENT AGENDA

Motion was made by Council Member Guy, seconded by Council Member Roberson, to remove request to approve minutes of the Mayor and City Council dated May 20, 2003 and May 23, 2003 and discuss at a later time. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Bounds and Guy

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Roberson, to approve the issuance of the following manual checks:

City of Picayune General Fund	Utility	NTE	\$52,000.00
MS State Tax Commission	Utility	NTE	\$ 6,000.00
BellSouth	General		\$ 2,521.19
	Airport		\$ 66.50
United States Post Office	Utility		\$ 150.00

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Bounds and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE THE MAYOR TO SIGN QUITCLAIM DEED

REGULAR MEETING DATED JUNE 3, 2003

Motion was made by Council Member Guy, seconded by Council Member Roberson, to authorize the Mayor to sign a quitclaim deed for Ronald Vaughn for 1999 taxes, parcel 617-933-000-00-009-01. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Bounds and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO SET PUBLIC HEARING FOR 116 MOODY STREET

Motion was made by Council Member Guy, seconded by Council Member Roberson, to authorize setting July 1, 2003 for property cleanup at 116 Moody Street, owner-Kevin Cotton. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Bounds and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO SET PUBLIC HEARING FOR 1116 PALESTINE ROAD

Motion was made by Council Member Guy, seconded by Council Member Roberson, to authorize setting July 1, 2003 for property cleanup at 1116 Palestine Road, owner-Phuong-anh Tran. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Bounds and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO SET PUBLIC HEARING FOR 719 WEEMS STREET

Motion was made by Council Member Guy, seconded by Council Member Roberson, to authorize setting July 1, 2003 for property cleanup at 719 Weems Street (Lot Only)-owner Marsella Jones. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Bounds and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO SET PUBLIC HEARING FOR 701 DAVIS STREET

Motion was made by Council Member Guy, seconded by Council Member Roberson, to authorize setting July 1, 2003 for property cleanup at 701 Davis Street-owner J.W. Davidson. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Bounds and Guy

REGULAR MEETING DATED JUNE 3, 2003

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ADOPT THE 2000 INTERNATIONAL BUILDING CODE-INTERNATIONAL CODE COUNCIL

Motion was made by Council Member Guy, seconded by Council Member Roberson, to adopt the 2000 International Building Code-International Code Council. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Bounds and Guy

VOTING NAY: None

The motion was declared carried

CONSIDER REQUEST TO DECLARE ITEMS AS SURPLUS AND REMOVE ITEMS FROM SURPLUS

Motion was made by Council Member Guy, seconded by Council Member Roberson, to declare the following vehicles donated to the Picayune Police Department by the Court as surplus and authorize said vehicles to be sold at Durham Action Sale.

1.1G6CD6985G4223007	1986 CADILLAC	4DR
2.1GKP37W3313700	1988 CHEV	ITA
3.2FABP43F8FX127865	1985 FORD LTD	4DR

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Bounds and Guy

VOTING NAY: None

The motion was declared carried

ORDER TO APPROVE DOCKET

Motion was made by Council Member Guy, seconded by Council Member Bounds, to approve the docket for the month of May 2003 in the amount of \$503,320.91. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Parker, Bounds, and Guy

VOTING NAY: None

The motion was declared carried.

ORDER TO AMEND AGENDA

Motion was made by Council Member Guy, seconded by Council Member Watts, to amend the agenda to include request from Pilgrim Bound Baptist Church to have permission to have a parade for Bible School. The following roll call vote was taken:

REGULAR MEETING DATED JUNE 3, 2003

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Parker, Bounds, and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO APPROVE PARADE PERMIT FOR PILGRIM BOUND BAPTIST CHURCH BIBLE SCHOOL

Motion was made by Council Member Guy, seconded by Council Member Watts, to approve the parade route for Pilgrim Bound Baptist Church Bible School on June 14, 2003 with the condition of presenting a letter of approval from the Picayune Police Department. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Parker, Bounds, and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO APPROVE ACCESS TO CITY WATER SYSTEM FOR REESE MOODY

Motion was made by Council Member Guy, seconded by Council Member Bounds, to approve access to the City water system for Reese Moody at 9 Moody Drive, with the condition of providing a letter from Nicholson Water Association stating there is no intention of providing water access to their water system. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Parker and Guy
Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ADVERTISE RESOURCES FOR THE CITY WITH THE PICAYUNE MEMORIAL HIGH SCHOOL FBLA

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to approve advertising resources for the City for the FBLA of Picayune Memorial High School to attend National Conference and issue a manual check in the amount of \$500.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Parker, Guy and
Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE THE POLICE DEPARTMENT TO OPERATE A SUMMER YOUTH CAMP

REGULAR MEETING DATED JUNE 3, 2003

Motion was made by Council Member Parker, seconded by Council Member Guy, to authorize the Police Department to operate a Summer Youth Camp and appoint Chief Jim Luke to manage the program. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Parker, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE NEW BANK ACCOUNT FOR CDBG RAIL SPUR GRANT

Motion was made by Council Member Guy, seconded by Council Member Watts to authorize the accounting department to arrange for the opening of a new bank account for the purpose of receiving and expending the CDBG Rail Spur Grant Revenue. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Parker, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE NEW BANK ACCOUNT FOR SUMMER YOUTH CAMP PROGRAM

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to authorize the accounting department to arrange the opening of a new bank account for the purpose of receiving and expending the donations for the Summer Youth Camp. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Bounds, Parker and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER CITY OF PICAYNE WATER WELL REHABILITATION CHANGE ORDER REQUEST #2

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize Mayor to execute Change Order #2 to omit electrical work and the flow meter at the Mitchell Street well. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Guy, Bounds, Roberson, Watts, and Parker

VOTING NAY: None

The motion was declared carried

ORDER TO APPROVE THE MINUTES OF THE MAYOR AND CITY COUNCIL

REGULAR MEETING DATED JUNE 3, 2003

Motion was made by Council Member Guy seconded by Council Member Parker, to approve the minutes of the Mayor and City Council dated May 20, 2003, May 23, 2003 and May 30, 2003 with the correction of Item #2(Consider Request To Approve Budget Amendment #4 For The Year Ending September 30, 2003) being changed to Voting Nay: Council Member Roberson. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Bounds and Guy

VOTING NAY: None

The motion was declared carried.

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Bounds, seconded by Council Member Roberson to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

Motion was made by Council Member Bounds, seconded by Council Member Guy, to enter executive session to discuss the personnel matters for professional services and Memorandum of Understanding-Partners for Pearl River County. The following roll call vote was taken.

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss the personnel matters for professional services and Memorandum of Understanding-Partners for Pearl River County

At this time Council Member Watts exited meeting

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Bounds seconded by Council Member Guy, and unanimously carried, the Mayor reopened the meeting. The Mayor stated that in executive session and upon motion of Council Member Guy, seconded by Council Member Parker and the motion carried, the Mayor was authorized to sign agreement between the City of Picayune and E.G. Woods to furnish professional liaison services between the City and Stennis Space Center. Mayor Mitchell, Council Members Parker, Bounds and Guy voting Yea, Council Member Roberson voting Nay and absent and not voting, Council Member Watts. Upon motion of Council Member Bounds seconded by Council Member Guy, and the motion carried, the Mayor was authorized to sign Memorandum of Understanding with Partners for Pearl River County wherein they will provide economic development management oversight for the city with guidance from the mayor and council.

REGULAR MEETING DATED JUNE 3, 2003

ORDER TO ADJOURN

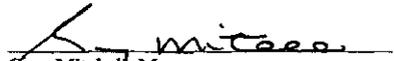
Motion was made by Council Member Guy and seconded by Council Member Parker, to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy, and Bounds

ABSENT AND NOT VOTING: Council Members Watts

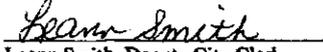
VOTING NAY: None

The motion was declared carried.



Greg Mitchell, Mayor

ATTEST:



Leann Smith, Deputy City Clerk

June 17, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, June 17, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Donald Parker, Leavern Guy, Sr, Jerry Bounds, Kathy H. Watts. City Manager J.P. Burns Jr., Deputy City Clerk Michelle Berdux, Deputy City Clerk Leann Smith, City Attorney Nathan Farmer, Chief Jim Luke and Chief Keith Brown.

It being determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Reverend Arlis Grice of Goodyear Baptist Church followed by the Pledge of Allegiance led by Council Member Guy

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds seconded by Council Member Guy, to approve the minutes of the Mayor and City Council dated June 3, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY BUDGET REPORTS

Motion was made by Council Member Bounds seconded by Council Member Guy, to acknowledge receipt of the Monthly Budget Reports for the month of May 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PUBLIC RECORD REQUESTS REPORT

Motion was made by Council Member Bounds, seconded by Council Member Guy, to acknowledge receipt of the Monthly Public Record Requests Report for the month of May 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

REGULAR MEETING DATED JUNE 17, 2003

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds seconded by Council Member Guy, to approve the issuance of the following manual checks:

Centerpoint Energy	Utility	\$24,319.50
Gulfsouth Pipeline Co	Utility	\$ 7,369.97
UMC	Utility	\$ 617.56
Robin Thomas	General	\$ 129.90
Nathan Farmer Trust		
Account	Eco Dev	\$21,500.00
Federal Law Enf Block		
Grant VII	General	\$ 799.00

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF PRIVILEGE LICENSE REPORTS

Motion was made by Council Member Bounds, seconded by Council Member Guy, to acknowledge receipt of the Privilege License Reports for the month of May 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE MAYOR TO SIGN QUITCLAIM DEED

Motion was made by Council Member Bounds, seconded by Council Member Guy, to authorize Mayor's signature on Quitclaim Deed for 1999 tax parcel 617 736 000 00 003 00 in the name of Elaine Collier The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

REGULAR MEETING DATED JUNE 17, 2003**CONSIDER REQUEST TO VOID TAX SALE**

Motion was made by Council Member Bounds, seconded by Council Member Guy, to authorize the Mayor, to void 2001 tax sale on parcel 617839 000 02 032 00 due to erroneous assessment and refund tax sale amount of \$141.88 to. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER ACCEPTANCE OF THE PLANNING COMMISSION MINUTES

Motion was made by Council Member Bounds, seconded by Council Guy, to accept the minutes of the Planning Commission dated June 10, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER ACKNOWLEDGING RECEIPT OF PLANNING COMMISSION MINUTES

Motion was made by Council Member Bounds, seconded by Council Member Guy, to acknowledge receipt of the Planning Commission minutes dated May 15, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER REQUEST TO SET PUBLIC HEARING FOR 815 4th STREET

Motion was made by Council Member Bounds, seconded by Council Member Guy, to approve the hearing date of July 15, 2003 for property cleanup on lot behind and West of 815 4th Street-Section 617 714 001, Block 5, Parcel 24-owner Betty Boston. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, Watts, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

REGULAR MEETING DATED JUNE 17, 2003CONSIDER REQUEST TO SET PUBLIC HEARING FOR 422 North Curran Avenue

Motion was made by Council Member Bounds, seconded by Council Member Guy, to approve the hearing date of July 15, 2003 for property cleanup at 422 North Curran Avenue-owner Myron Richard Hobgood. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, Watts, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER PERMISSION TO HOLD "CAN" FUNDRAISER FOR "THE ROCK" SUMMER DAY CAMP FOR KIDS

Motion was made by Council Member Parker, seconded by Council Member Guy, to grant permission to have a "Can" fundraiser for "The Rock" Summer Day Camp for Kids at the intersection of Hwy 11 & 43N, Hwy 11 & Main, and Hwy 11 & 43 S for summer camp program. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER REQUEST TO ADVERTISE THE RESOURCES OF THE CITY

Motion was made by Council Member Bounds, seconded by Council Member Watts to advertise the resources of the city by being a sponsor at The American Cancer Society's Relay for Life on July 25 & 26, 2003 to be held at the Picayune High School Stadium and issue a manual check for a comparable amount as given last year. A limit of \$700.00 has been approved by Council. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Watts, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

IN THE MATTER OF PICAYUNE SCHOOL DISTRICT

Pam Thomas, Director of Head Start, requested from the Council information on what the City was planning to do in the vicinity of her new Head Start Building. She stated that they were planning on spending \$150,000.00 on a new playground. Council Member Bounds stated that South Beech Street is on a paving contract and it is expected to be paved by end of summer. He further stated that the City is planning on doing work at Snyder Park. Mayor Mitchell said Snyder Park was named after a former Council Member, Edward Snyder, and upgrading Snyder Park would give children a place to play and could be used by adults for picnics and family gatherings. Council Member Bounds stated that monies had been set aside to paint City Hall in the amount of \$65,000.00 and only cost \$27,500.00 therefore the City will spend the difference

REGULAR MEETING DATED JUNE 17, 2003

of \$37,500.00 to upgrade Snyder Park with lights and to remove any unsafe conditions in the park.

IN THE MATTER OF THE ROCK SUMMER DAY CAMP FOR KIDS

Dawn Bechtel, director of The Rock Summer Day Camp for Kids, stated to the Council that she will be conducting a five-week summer camp program at the Bertie Rouse School Building and requested funds from the City to help with utilities. Council Member Guy stated that he would like for the City Attorney and the City Manager to check into the matter on behalf of the City. No action was taken.

CONSIDER REQUEST FOR CLYDE WHEAT TO CONNECT TO CITY WATER AND SEWER

Motion was made by Council Member Guy, seconded by Council Member Parker, to authorize Clyde Wheat to be connected to City Water and Sewer Services for property located at 208 Jeff Wheat Road with the condition that he would be responsible for all cost of material and labor. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER REQUEST TO APPROVE BUDGET AMENDMENT #5 FOR THE YEAR ENDING SEPTEMBER 30, 2003

Motion was made by Council Member Guy, seconded by Council Member Bounds to accept budget amendment #5 for the year ending September 30, 2003. The following roll call vote was taken:

CITY OF PICAYUNE- GENERAL FUND PROPOSED BUDGET AMENDMENT #5 FOR THE YEAR ENDING 9/30/03	2002- 2003	FUND 001					
		BUDGE	AMEND #1	AMEND #2	AMEND #3	AMEND #4	AMEND #5
REVENUES							
LICENSE & PERMITS	375,000	375,000					
INTERGOVERNMENTAL REVENUES	3,112,000	3,252,650	4,156,151	4,190,465	4,190,465	4,214,212	
CHARGES FOR SERVICES	606,000	606,000	606,000	606,000	606,000	606,000	
FINES & FORFEITS	340,000	340,000	340,000	340,000	340,000	341,000	
MISCELLANEOUS	12,000	12,000	12,000	12,000	12,000	12,000	
TRANSFERS IN	1,840,000	350,000	350,000	350,000	350,000	350,000	
INTEREST INCOME	41,000	41,000	41,000	41,000	41,000	41,000	
NON-REVENUE RECEIPTS	0	100	200	2,999	2,999	13,999	
TOTAL FROM ALL							

REGULAR MEETING DATED JUNE 17, 2003

TOTAL	1,990,0	1,995,05	1,995,05	1,996,30	1,996,308	1,996,308
L	08	8	8	8	8	8
CITY OF PICAYUNE- GENERAL FUND						
CONTINU ED						
PROPOSED BUDGET AMENDMENT #5 FOR THE YEAR ENDING 9/30/03	FUND 001 2001- 2002					
EXPENSES:	<u>BUDGE</u>	<u>AMEND</u>	<u>AMEND</u>	<u>AMEND</u>	<u>AMEND</u>	<u>AMEND</u>
	<u>I</u>	<u>#1</u>	<u>#2</u>	<u>#3</u>	<u>#4</u>	<u>#5</u>
<u>PUBLIC WORKS</u>						
PERSONNE	851,354	851,354	851,354	851,354	867,054	867,054
L						
SUPP	261,100	261,100	261,100	261,100	261,100	261,100
LIES						
OTHER SERVICES & CHARGES	855,250	855,250	855,250	855,250	855,250	855,250
CAPITAL OUTLAYS	742,075	882,726	1,779,72	1,779,72	1,742,226	1,742,226
			6	6		
TOTA	2,709,7	2,850,43	3,747,43	3,747,43	3,725,630	3,725,630
L	79	0	0	0		
<u>CULTURE & RECREATION</u>						
PERSONNE	0	0	0	0	0	0
L						
SUPP	2,300	2,300	2,300	2,300	2,300	2,300
LIES						
OTHER SERVICES & CHARGES	10,000	10,000	10,000	10,000	10,000	10,000
CAPITAL OUTLAYS	12,000	12,000	16,000	16,000	53,500	53,500
TOTA	24,300	24,300	28,300	28,300	65,800	65,800
L						
COST OF LIVING RAISES	234,000	234,000	234,000	234,000	234,000	234,000
AID TO OTHER GOVERNMENTS TRANSFER S OUT	45,425	45,425	45,425	45,425	45,425	45,425
	372,800	373,599	373,599	373,599	389,020	389,020
ENDING CASH BALANCE	884,133	925,474	922,974	963,588	932,467	929,669
TOTAL EXPENDITURES & ENDING CASH BALANCE						
	9,807,4	10,065,2	10,968,0	11,005,9	11,005,96	11,041,71
	09	50	50	63	3	0

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

REGULAR MEETING DATED JUNE 17, 2003

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

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The motion was declared carried.

CONSIDER APPROVAL ISSUANCE OF MANUAL CHECK

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve issuance of manual check in the amount of \$31,500.00 to purchase property located on East Canal. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER SPECIAL USE PERMIT

Motion was made by Council Member Guy, seconded by Council Member Bounds, to grant the special use permit for Mr. Carl A. Hough, owner of Crazy Carl's Fireworks to sell fireworks from location on Highway 43 South for July 4, 2003 season only. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER REQUEST TO SUBMIT APPLICATION TO FEDERAL AVIATION ADMINISTRATION (FAA) FOR FY 2003 FUNDS

Motion was made by Council Member Bounds, seconded by Council Member Watts, to submit the request to the FAA for funding regarding the acquisition and authorize the Mayor to sign the FY 2003 FAA Application. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

Motion was made by Council Member Bounds, seconded by Council Member Parker, to acquire the following properties: (1) Dan Quirk-14.66 acres, (2) R.J. Williams Heirs-1.57 acres (3) Mark

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W

Motion was made by Council Member Guy, seconded by Council Member Bounds, to Share \$89,132.52) (Local Share \$59,851.85) and authorize the Mayor to sign Safe Community

CONSIDER RESCINDING 2000 INTERNATIONAL BUILDING CODE

Motion was made by Council Member Guy, seconded by Council Member Parker, to rescind

CONSIDER ADOPTING 2003 INTERNATIONAL BUILDING RESIDENTIAL

Motion was made by Council Member Guy, seconded by Council Member Bounds, to adopt the follows, to-wit:

Be It Ordained by the Mayor and City Council of the City of Picayune, Pearl River

- SECTION 1. Adoption of the 2003 Edition of the International Building Code.
- Adoption of the 2003 Edition of the International Plumbing Code.
- Adoption of the 2003 Edition of the International Fire Code.

REGULAR MEETING DATED JUNE 17, 2003

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER APPROVAL ISSUANCE OF MANUAL CHECK

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve issuance of manual check in the amount of \$21,500.00 to purchase property located on East Canal. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER SPECIAL USE PERMIT

Motion was made by Council Member Guy, seconded by Council Member Bounds, to grant the special use permit for Mr. Carl A. Hodge, owner of Crazy Carl's Fireworks to sell fireworks from location on Highway 43 South for July 4, 2003 season only. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER REQUEST TO SUBMIT APPLICATION TO FEDERAL AVIATION ADMINISTRATION (FAA) FOR FY 2003 FUNDS

Motion was made by Council Member Bounds, seconded by Council Member Watts, to authorize submission of FY 2003 Application to FAA for Taxiway Lighting and Property Acquisition and authorize the Mayor to sign the FY 2003 FAA Application. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER ENGAGING APPRAISER TO ESTABLISH FAIR MARKET VALUE

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize engaging an appraiser to establish Fair Market Value for property acquisition for the following properties: (1) Dan Quirk-14.66 acres, (2) R.J. Williams Heirs-1.57 acres (3) Mark Gibson-11, 850 square feet. The following roll call vote was taken:

REGULAR MEETING DATED JUNE 17, 2003

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER SUBMISSION OF SAFE COMMUNITY GRANT APPLICATION

Motion was made by Council Member Guy, seconded by Council Member Bounds, to authorize submission of a Safe Community Grant Application: total cost \$148,984.37-(Federal Share \$89,132.52) (Local Share \$59,851.85) and authorize the Mayor to sign Safe Community Grant Application. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER RESCINDING 2000 INTERNATIONAL BUILDING CODE-INTERNATIONAL CODE COUNCIL

Motion was made by Council Member Guy, seconded by Council Member Parker, to rescind action of June 3, 2003 by Mayor and Council to adopt 2000 International Building Code-International Code Council. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER ADOPTING 2003 INTERNATIONAL BUILDING, RESIDENTIAL, PLUMBING, MECHANICAL, FIRE AND ELECTRICAL CODE

Motion was made by Council Member Guy, seconded by Council Member Bounds, to adopt the 2003 International Building, Residential, Plumbing, Mechanical, Fire and Electrical Code, as follows, to-wit:

ORDINANCE NO. 785

AN ORDINANCE TO ADOPT THE INTERNATIONAL BUILDING CODE 2003 EDITION.

Be It Ordained by the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, In Meeting Duly Assembled:

SECTION 1. Adoption of the 2003 Edition of the International Building Code.
Adoption of the 2003 Edition of the International Residential Code.
Adoption of the 2003 Edition of the International Plumbing Code.
Adoption of the 2003 Edition of the International Mechanical Code.
Adoption of the 2003 Edition of the International Fire Code.
Adoption of the 2003 Edition of the International Electrical Code.

REGULAR MEETING DATED JUNE 17, 2003

The International Building, Residential, Plumbing, Mechanical, Fire and Electrical Codes 2003 Edition are hereby adopted in their entirety.

SECTION 2. Severability, Conflict and Effective Date

Should any section, clause, paragraph, provision or part of this ordinance for any reason be held invalid or unconstitutional by any court of competent jurisdiction, this act shall not affect the validity of any other section, clause, paragraph, provision or part of this ordinance. All provisions of this ordinance shall be considered separate provisions and completely severable from all other portions.

Conflict in any case where a provision of this ordinance is found to be in conflict with the provisions of any other ordinance or code of the City of Picayune, Mississippi, existing on the effective date of this ordinance, the provisions of this ordinance shall take precedence.

This ordinance shall become effective after 30 days from its passage and upon completion of the requirements specified in Section 21-13-11, Mississippi Code of 1972 as amended.

The foregoing Ordinance having been reduced to writing and considered, section by section, was introduced by Council Member Leavern Guy, Sr., seconded by Council Member Jerry Bounds, and adopted by the following roll call vote, to-wit:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion having received the affirmative vote of the majority of the members present, the Mayor declared the motion carried and the ordinance passed, approved and adopted on this the 16th day of June 2003.

Greg Mitchell, Mayor

ATTEST:

Leann Smith, Deputy City Clerk

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER PARTNERING WITH PICAYUNE SCHOOL DISTRICT IN EMERGENCY RESPONSE AND CRISIS MANAGEMENT PROGRAM

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize the Mayor to sign a Partner Certification for participation in the PSD Emergency Response and Crisis Management Program. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER AMENDMENT TO ORDINANCE NO 530

Motion was made by Council Member Guy, seconded by Council Member Bounds, to postpone the matter to amend Ordinance No 530 until the next regular meeting and to authorize the City Attorney to study and reword said amendment. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER REQUEST TO UPGRADE FIRE DEPARTMENT RADIOS

Motion was made by Council Member Bounds, seconded by Council Member Parker; to authorize the trade of two 4-channel radios currently owned for two 32-channel radios with the difference being \$480.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER REQUEST TO SOLICIT BIDS FOR LIGHTING AT SNYDER PARK

Motion was made by Council Member Guy, seconded by Council Member Parker; to authorize solicitation of bids for lights at Snyder Park. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

ORDER TO ADJOURN

Motion was made by Council Member Guy and seconded by Council Member Bounds to recess until July 3, 2003. The following roll call vote was taken:

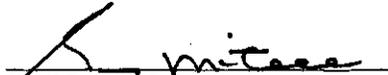
VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, Guy, and Parker

ABSENT AND NOT VOTING: Council Members Roberson

VOTING NAY: None

The motion was declared carried.

REGULAR MEETING DATED JUNE 17, 2003



Greg Mitchell, Mayor

ATTEST:



Leann Smith, Deputy City Clerk

July 3, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in a special called meeting at the Criminal Justice Center in said City, Thursday, July 3, 2003, at 3:00 p.m. with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Kathy Watts, and Leavern Guy, Sr., City Manager J.P. Burns, Jr., Deputy City Clerk Michelle Berdux and Deputy City Clerk Leann Smith.

The call for this special meeting was as follows:

**CALL FOR SPECIAL MEETING OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF PICAYUNE**

TO: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Kathy Watts, Leavern Guy, Sr. and Jerry Bounds

Notice is hereby given that a Special Meeting of the Mayor and City Council of the City of Picayune, Mississippi, is hereby called and will be held at the Criminal Justice Center, 328 South Main Street, at 3:00 p.m. on July, the 3rd day. The purpose of the meeting is to consider accepting Grant Award from U.S. Environmental Protection Agency for Wastewater Infrastructure Improvements, Approval of Docket, Approval Manual Checks, Authorize Mayor to sign Resolution.

July 3, 2003
Date

/s/ J.P. Burns, Jr.
J.P. Burns, Jr.

**A POLICE OFFICER OF THE CITY OF PICAYUNE, MISSISSIPPI WILL EXECUTE
AND RETURN THE ABOVE NOTICE**

We, the undersigned Mayor and Council Members of the City of Picayune, Mississippi, hereby acknowledge service of the above call upon us personally.

/s/ Greg Mitchell
Greg Mitchell, Mayor

/s/ Lucian Roberson
Lucian Roberson

/s/ Donald Parker
Donald Parker

/s/ Kathy Watts
Kathy Watts

/s/ Leavern Guy
Leavern Guy

/s/ Jerry Bounds
Jerry Bounds

I have personally served notice upon the person of each of the above-signed Council Members.

July 3, 2003
Date

/s/ Capt. Ricky Frierson
Picayune Police Officer

SPECIAL MEETING DATED JULY 3, 2003ORDER TO SIGN GRANT AWARD FROM EPA FOR WASTEWATER INFRASTRUCTURE

Motion was made by Council Member Roberson, seconded by Council Member Watts, to authorize the Mayor to sign Grant Award from U. S. Environmental Protection Agency for Wastewater Infrastructure Improvements.

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

ABSENT AND NOT VOTING: Council Member Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO ADOPTING RESOLUTION BY FEDERAL TRANSIT ADMINISTRATION

Motion was made by Council Member Guy, seconded by Council Member Roberson, to adopt Authorizing Resolution as requested by Federal Transit Administration for Intermodal Transit Administration for Intermodal Center

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

AUTHORIZING RESOLUTION

RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY 49 U.S.C. CHAPTER 53, TITLE 23 UNITED STATES CODE, AND OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION.

WHEREAS, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for a transportation project;

WHEREAS, the grant or cooperative agreement for Federal financial assistance will impose certain obligations upon the Applicant, and may require the Applicant to provide the local share of the project cost;

WHEREAS, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PICAYUNE, MISSISSIPPI;

1. That the Mayor is authorized to execute and file an application for Federal assistance on behalf of City of Picayune, MS with the Federal Transit Administration for Federal assistance authorized by 49 U.S.C. chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration.
2. That Mayor is authorized to execute and file with its applications the annual certifications and assurances and other documents the Federal Transportation Administration requires before awarding a Federal assistance grant or cooperative agreement.
3. That Mayor is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of City of Picayune, MS.

SPECIAL MEETING DATED JULY 3, 2003**CERTIFICATION**

The undersigned duly qualified Deputy City Clerk, acting on behalf of the City of Picayune, MS certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Mayor and City Council held on July 3, 2003.

(Signature of Recording Officer)

Deputy City Clerk _____
(Title of Recording Officer)

July 3, 2003 _____
(Date)

AUTHORIZING RESOLUTION
(Page 1 of 1)

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

ABSENT AND NOT VOTING: Council Member Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE DOCKET

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve the docket for the month of June 2003 in the amount of \$602,103.84. The following roll call vote was taken

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

ABSENT AND NOT VOTING: Council Member Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Watts, seconded by Council Member Roberson, to approve the issuance of the following manual checks:

City of Picayune General Fund	Utility	\$50,170.93
MS State Tax Commission	Utility	\$ 3,437.00

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, and Guy

ABSENT AND NOT VOTING: Council Member Bounds

VOTING NAY: None

The motion was declared carried

SPECIAL MEETING DATED JULY 3, 2003

At this time Council Member Jerry Bounds entered meeting.

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Roberson, seconded by Council Member Watts to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Guy, Parker and Bounds

VOTING NAY: None

The motion was declared carried.

Motion was made by Council Member Roberson, seconded by Council Member Watts, to enter executive session to personnel matters. The following roll call vote was taken.

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss. Personnel matters.

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Bounds seconded by Council Member Roberson, and unanimously carried, the Mayor reopened the meeting. The Mayor stated that in executive session and upon motion of Council Member Roberson, seconded by Council Member Bounds and unanimously carried, the position of City Clerk was offered to Lloyd Marshall. Upon motion of Council Member Roberson seconded by Council Member Guy, and unanimously carried, annual salary for the position of City Clerk for Lloyd Marshall was set at \$45,000.

ORDER TO ADJOURN

Motion was made by Council Member Roberson and seconded by Council Member Bounds, to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Guy, Parker Watts and Bounds

VOTING NAY: None

The motion was declared carried.



Greg Mitchell, Mayor

ATTEST:



Leann Smith, Deputy City Clerk

July 14, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in a special called meeting at the Criminal Justice Center in said City, Monday, July 14, 2003, at 5:00 p.m. with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, and Leavern Guy, Sr., City Manager J.P. Burns, Jr., Deputy City Clerk Michelle Berdux

The call for this special meeting was as follows:

**CALL FOR SPECIAL MEETING OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF PICAYUNE**

TO: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Kathy Watts, Leavern Guy, Sr. and Jerry Bounds

Notice is hereby given that a Special Meeting of the Mayor and City Council of the City of Picayune, Mississippi, is hereby called and will be held at the Criminal Justice Center, 328 South Main Street, at 5:00 p.m. on July 14, 2003. The purpose of the meeting is a Workshop with Representatives from Holley, Grubbs, Mitcham & Phillips and Neel-Schaffer to discuss possible financing for Friendship Park.

July 10, 2003
Date

/s/ J.P. Burns, Jr.
J.P. Burns, Jr.

**A POLICE OFFICER OF THE CITY OF PICAYUNE, MISSISSIPPI WILL EXECUTE
AND RETURN THE ABOVE NOTICE**

We, the undersigned Mayor and Council Members of the City of Picayune, Mississippi, hereby acknowledge service of the above call upon us personally.

/s/ Greg Mitchell
Greg Mitchell, Mayor

/s/ Lucian Roberson
Lucian Roberson

/s/ Donald Parker
Donald Parker

/s/ Kathy Watts
Kathy Watts

/s/ Leavern Guy
Leavern Guy

/s/ Jerry Bounds
Jerry Bounds

I have personally served notice upon the person of each of the above-signed Council Members.

July 10, 2003
Date

/s/ Chief Jim Luke
Picayune Police Officer

SPECIAL MEETING DATED JULY 14, 2003

No action was taken at this special meeting which was just a workshop

ORDER TO ADJOURN

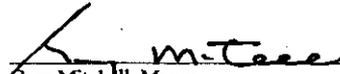
Motion was made by Council Member Bounds and seconded by Council Member Guy, to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Guy, Parker and Bounds

VOTING NAY: None

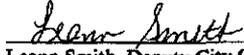
ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.



Greg Mitchell, Mayor

ATTEST:



Leann Smith, Deputy City Clerk

July 15, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, July 15, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Leavern Guy, Sr., Jerry Bounds, City Manager J.P. Burns, Jr., Deputy City Clerk Leann Smith, Deputy City Clerk Michelle Berdux, City Attorney Nathan Farmer, Chief Jim Luke and Chief Keith Brown.

It being determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Jessie Morris followed by the Pledge of Allegiance led by Dawn Bechtel

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Guy, to approve the minutes of the Mayor and City Council dated June 17, 2003 and July 3, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds and Guy

VOTING NAY: Council Member Roberson

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY BUDGET REPORTS

Motion was made by Council Member Bounds, seconded by Council Member Guy, to acknowledge receipt of the Monthly Budget Reports for the month of June 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds and Guy

VOTING NAY: Council Member Roberson

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PUBLIC RECORD REQUESTS REPORT

Motion was made by Council Member Bounds, seconded by Council Member Guy, to acknowledge receipt of the Monthly Public Record Requests Report for the month of June 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds and Guy

VOTING NAY: Council Member Roberson

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Guy, to approve the issuance of the following manual checks:

Our Town Media	General	\$ 1,076.00
Brian Dawsey	General	\$ 270.00
Anna Taranto	General	\$ 270.00

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds and Guy

VOTING NAY: Council Member Roberson

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF PRIVILEGE LICENSE REPORTS

Motion was made by Council Member Bounds, seconded by Council Member Guy, to acknowledge receipt of the Privilege License Reports for the month of June 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds and Guy

VOTING NAY: Council Member Roberson

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO VOID 2002 TAX SALE

Motion was made by Council Member Bounds, seconded by Council Member Guy to void 2002 tax sale on parcel 518-819-000-002-01 due to Bankruptcy notice. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds and Guy

VOTING NAY: Council Member Roberson

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE MAYOR TO SIGN OUTCLAIM DEED

Motion was made by Council Member Bounds seconded by Council Member Guy, to authorize Mayor's signature on Quitclaim Deed for 1988-1990 taxes. Parcel 617-111-002-03-029-00 in the name of Alice Creel. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds and Guy

VOTING NAY: Council Member Roberson

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO VOID 2001 TAX SALE

Motion was made by Council Member Bounds, seconded by Council Member Guy, to authorize to void 2001 tax sale on parcel 616-419-000-00 in the name of Denise McElroy due to disability exemption. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds and Guy

VOTING NAY: Council Member Roberson

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER ACCEPTANCE OF THE PLANNING COMMISSION MINUTES

Motion was made by Council Member Bounds, seconded by Council Guy, to accept the minutes of the Planning Commission dated June 10, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds and Guy

VOTING NAY: Council Member Roberson

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER ACKNOWLEDGING RECEIPT OF PLANNING COMMISSION MINUTES

Motion was made by Council Member Bounds, seconded by Council Member Guy, to acknowledge receipt of the Planning Commission minutes dated July 8, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds and Guy

VOTING NAY: Council Member Roberson

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO VOID 2001 TAX SALE

Motion was made by Council Member Bounds, seconded by Council Member Guy, to void 2001 tax sale on parcel 717-203-000-04-006-01 in the name of Sue Ogden due to disability exemption. The following roll call was taken.

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds and Guy

VOTING NAY: Council Member Roberson

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried

CONSIDER REQUEST TO VOID 2001 TAX SALE

Motion was made by Council Member Bounds, seconded by Council Member Guy, to void 2001 tax sale on parcel 617-624-000-00-049-00 in the name of The Buffalo Corp due to Bankruptcy. The following roll call was taken.

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds and Guy

VOTING NAY: Council Member Roberson

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER EMERGENCY PURCHASE FOR READ ROAD PUMP STATION

Motion was made by Council Member Bounds, seconded by Council Member Guy to approve emergency purchase for Read Road Pump. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds and Guy

VOTING NAY: Council Member Roberson

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST FOR MAYOR TO SIGN QUITCLAIM DEED

Motion was made by Council Member Bounds, seconded by Council Member Guy, to authorize Mayor's signature on Quitclaim Deed for parcel 616-307-000-00-009-00 in the name of Gaston & Valerie Pace. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds and Guy

VOTING NAY: Council Member Roberson

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO CLOSE PORTION OF GOODYEAR BLVD FOR YOUTH EVENT

Motion was made by Council Member Roberson, seconded by Council Member Bounds to authorize permission to block off a portion of Goodyear Blvd on July 19, 2003 from 9:00 a.m. to 5:30 p.m. for Victory Temple Worship Center Youth Event. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO RE-SCHEDULE FUNDRAISER FOR "THE ROCK" SUMMER DAY CAMP

Motion was made by Council Member Parker, seconded by Council Member Guy, to grant permission to re-schedule fundraiser for "The Rock" Summer Day Camp at the intersections of Hwy 11 & Hwy 43N, Hwy 11 & East Canal, and Hwy 11 & Hwy 43S on July 26, 2003 from 9am to 12pm. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy Bounds and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

COMMUNICATIONS -- DAWN BECHTEL "The Rock" SUMMER DAY CAMP

Motion was made by Council Member Guy, seconded by Council Member Bounds, to authorize City Attorney, Nathan Farmer to obtain an opinion on the request of Dawn Bechtel representing "The Rock" Summer Day Camp for the City to include the camp on the 2004 budget. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Bounds and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

Council Member Kathy Watts entered meeting at this time.

COMMUNICATIONS -- DEBORAH CARTER (CONCERNED CITIZENS)

At this time Deborah Carter approached the Council concerning property located at 815 East 4th Street (Jazz House). Motion was made by Council Member Parker, seconded by Council Member Guy, to take under advisement her concerns about subject property. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, Bounds and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FROM JOHN GIANGROSSO, SR.

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve request from John Giangrosso, Sr. for the connection of water and sewer from City services to his property located at 58 Stafford Road subject to him being responsible for all cost. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Bounds, Roberson and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FROM HENRY SMITH

Motion was made by Council Member Guy, seconded by Council Member Parker, to postpone to the August 5, 2003 Council Meeting the request from Henry Smith for the connection of water and sewer from City services to his property located at 144 Luther Davis Road. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Bounds, Roberson and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER ACCEPTING RATE SCHEDULE WITH WASTE MANAGEMENT

Motion was made by Council Member Parker, seconded by Council Member Guy, to accept rate schedule for next service year with Waste Management as per original contract. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Bounds, Roberson and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER ADOPTING ORDINANCE NO. 786 REGULATING HANDLING OF TRASH, GARBAGE AND COLLECTION THEREOF

Motion was made by Council Member Guy, seconded by Council Member Parker, to adopt Ordinance No. 786, an Ordinance to amend Section 1 of Ordinance No. 715 regulating the placing and handling of trash and garbage and the collection thereof in the City of Picayune.

ORDINANCE NO. 786

AN ORDINANCE TO AMEND ORDINANCE NO. 715 (AN ORDINANCE TO AMEND SECTION 1 OF ORDINANCE NO. 334 REGULATING THE PLACING AND HANDLING OF TRASH AND GARBAGE AND THE COLLECTION THEREOF IN THE CITY OF PICAYUNE.)

Be It Ordained by the City Council of the City of Picayune, Pearl River County, Mississippi, In Meeting Duly Assembled:

SECTION 1. That Section 1 of Ordinance No. 715 shall be amended and when amended shall read as follows:

Section 1. That a garbage collection fee be and the same is hereby fixed for all residential places at \$13.06 per month and that the garbage collection fee for all commercial places shall be fixed at \$14.71 per month; that the City of Picayune shall furnish each such resident a sufficient number of garbage bags for using two each week.

SECTION 2. That any ordinance or section of any ordinance in conflict herewith is hereby repealed.

SECTION 3. Severability, Conflict and Effective Date.

Should any section, clause, paragraph, provision, or part of this ordinance for any reason be held invalid or unconstitutional by any Court of competent jurisdiction, this act shall not affect the validity or any other section, clause, paragraph, provision, or part of this ordinance. All provisions of this ordinance shall be considered separate provisions, and completely severable from all other portions.

Conflict in any case where a provision of this ordinance is found to be in conflict with the provision of any other ordinance or code of the City of Picayune, Mississippi, existing on the effective date of this ordinance, the provisions of this ordinance shall take precedence.

Because the adoption of this ordinance is necessary for the immediate and temporary preservation of the public peace, health and safety, this ordinance shall be effective immediately.

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Bounds, Roberson and Guy

VOTING NAY: None

The motion was declared carried.

The motion having received the affirmative vote of the majority of the members present, the Mayor declared the motion carried and the ordinance passed, approved and adopted on this the 15th day of July 2003.

Greg Mitchell, Mayor

ATTEST:

Leann Smith, City Clerk

CONSIDER ADOPTING 2003-2004 MOTOR VEHICLE ASSESSMENT SCHEDULE

Motion was made by Council Member Guy, seconded by Council Member Watts, to adopt 2003-2004 Motor Vehicle Assessment Schedule as presented by the Mississippi State Tax Commission. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Bounds, Roberson and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER CHANGE ORDER #3 CITY OF PICAYUNE WATER WELL REHABILITATION

Motion was made by Council Member Roberson, seconded by Council Member Watts, to authorize Mayor to execute Change Order #3 to remove and replace four (4) Doppler Flow Meters with four (4) Ultra Sonic Transit Time Flow Meters subject to City paying only for the new Flow Meters with no additional charges. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Bounds, Roberson and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR MODULAR BUILDING IN C-3 ZONE

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve request for modular building for an office at 1207 Haugh Ave requested by Mr. Jimmy Meshell. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts and Guy

VOTING NAY: Council Member Roberson

The motion was declared carried.

CONSIDER REQUEST TO BUILD SINGLE FAMILY DWELLING IN C-2 ZONE

Upon recommendation of the Planning Commission motion was made by Council Member Parker, seconded by Council Member Guy, to approve request to allow single family dwelling at 1208 East Canal Street, C-2 zone requested by Randall Sheffield. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, Watts and Guy

VOTING NAY: None

The motion was declared carried.

PUBLIC HEARING FOR PROPERTY CLEAN-UP FOR LOT BEHIND 815 4TH STREET

A public hearing on property cleanup was held for property located on lot behind 815 4th Street and owned by Betty Boston. It has been reported that the cleanup had not been done and that the condition of the property constitutes a menace to the public health and safety of the area. Motion was made by Council Member Guy, seconded by Council Member Roberson to

authorize the City to have the property cleaned and the cost charged against the property. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts and Guy

VOTING NAY: None

The motion was declared carried.

PUBLIC HEARING FOR PROPERTY CLEAN-UP FOR 719 WEEMS STREET

A public hearing on property cleanup was held for property located at 719 Weems Street and owned by Marsella Jones. It has been reported that the cleanup has been done and that the condition of the property no longer constitutes a menace to the public health and safety of the area. No action was taken.

PUBLIC HEARING FOR PROPERTY CLEAN-UP FOR 701 DAVIS STREET

A public hearing on property cleanup was held for property located at 701 Davis Street and owned by J.W. Davison. It has been reported that the cleanup had not been done and that the condition of the property constitutes a menace to the public health and safety of the area. Motion was made by Council Member Guy, seconded by Council Member Roberson to authorize the City to have the property cleaned and the cost charged against the property. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts and Guy

VOTING NAY: None

The motion was declared carried.

PUBLIC HEARING FOR PROPERTY CLEAN-UP FOR 1116 JACKSON LANDING ROAD

A public hearing on property cleanup was held for property located at 116 Jackson Landing Road and owned by Phuong-anh Tran. It has been reported that the cleanup has been done and that the condition of the property no longer constitutes a menace to the public health and safety of the area. No action was taken.

PUBLIC HEARING FOR PROPERTY CLEAN-UP FOR 422 N. CURRAN AVENUE

A public hearing on property cleanup was held for property located at 422 North Curran Avenue and owned by Myron Richard Hobgood. It has been reported that the cleanup had not been done and that the condition of the property constitutes a menace to the public health and safety of the area. Motion was made by Council Member Roberson, seconded by Council Member Guy to authorize the City to have the property cleaned and the cost charged against the property. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts and Guy

VOTING NAY: None

The motion was declared carried.

PUBLIC HEARING FOR PROPERTY CLEAN-UP FOR 116 MOODY STREET

A public hearing on property cleanup was held for property located at 116 Moody Street and owned by Vincent and Carol Gabourel. It has been reported that the cleanup had not been done and that the condition of the property constitutes a menace to the public health and safety of

the area. Motion was made by Council Member Roberson, seconded by Council Member Guy to authorize the City to have the property cleaned and the cost charged against the property. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts and Guy

VOTING NAY: None

The motion was declared carried

Council Member Watts exited meeting at this time.

CONSIDER PROFESSIONAL SERVICES FOR NEW FIRE STATION

Motion was made by Council Member Bounds, seconded by Council Member Guy to authorize Doug Stewart to prepare professional services for the projected new Fire Station to be located near Shoney's and Lofton Street. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER MOTION TO AMEND AGENDA

Motion was made by Council Member Bounds, seconded by Council Member Guy to amend agenda to include Fire Department request for equipment. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members, Bounds, Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO PURCHASE 32 FOOT EQUIPMENT TRAILER AND GENERATOR

Motion was made by Council Member Roberson, seconded by Council Member Bounds to authorize the Fire Department to purchase of a 32 foot equipment trailer and a generator at a cost of \$13,200.00 which will be reimbursed by Mississippi Emergency Management Agency after purchase is made. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Roberson, seconded by Council Member Bounds to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to enter executive session to discuss the possible Contractual matter at the Picayune Municipal Airport and the possible sale of land. The following roll call vote was taken.

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss the possible Contractual matter at the Picayune Municipal Airport and the possible sale of land.

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Roberson seconded by Council Member Guy, and unanimously carried, the Mayor reopened the meeting. The Mayor stated that in executive session and upon motion of Council Member Bounds, seconded by Council Member Roberson and unanimously carried, the City Manager was authorized to send a letter to GPA to hold meeting with Mayor and Council. Upon motion by Council Member Roberson, seconded by Council Member Bounds and unanimously carried, the City Manager was authorized to obtain an appraisal and enter into negotiations for the sale of property located at Highway 43 North next to the former Riser Clinic.

ORDER TO ADJOURN

Motion was made by Council Member Roberson and seconded by Council Member Bounds to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Roberson, Guy, and Parker

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Watts

The motion was declared carried.

*Printed
Watts
D. Mitchell*

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Roberson, seconded by Council Member Bounds to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Roberson, Parker, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to enter executive session to discuss the possible Contractual matter at the Picayune Municipal Airport and the possible sale of land. The following roll call vote was taken.

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss the possible Contractual matter at the Picayune Municipal Airport and the possible sale of land.

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Roberson seconded by Council Member Guy, and unanimously carried, the Mayor reopened the meeting. The Mayor stated that in executive session and upon motion of Council Member Bounds, seconded by Council Member Roberson and unanimously carried, the City Manager was authorized to send a letter to GPA to hold meeting with Mayor and Council. Upon motion by Council Member Roberson, seconded by Council Member Bounds and unanimously carried, the City Manager was authorized to obtain an appraisal and enter into negotiations for the sale of property located at Highway 43 North next to the former Riser Clinic.

ORDER TO ADJOURN

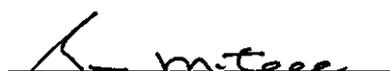
Motion was made by Council Member Roberson and seconded by Council Member Bounds to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Roberson, Guy, and Parker

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Watts

The motion was declared carried.


Greg Mitchell, Mayor

ATTEST:


Leann Smith, Deputy City Clerk

August 5, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, August 5, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Leavern Guy, Sr. and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Lloyd Marshall, Jr., City Attorney Nathan Farmer, Police Chief Jim Luke, and Fire Chief Keith Brown.

It Being Determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Rev. Alan Hickman of Resurrection Life, followed by the Pledge of Allegiance, led by: Council Member Jerry Bounds.

ORDER TO AMEND CONSENT AGENDA

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to amend the Consent Agenda to include Item D., Consider request to authorize Mayor's signature on correction Quitclaim Deed in the name of Charles Jarrell. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Guy, seconded by Council Member Roberson, to approve the minutes of the Mayor and City Council dated July 14, 2003 and July 15, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Roberson, to approve the issuance of the following manual checks:

City of Picayune General Fund	Utility	NTE	\$52,000.00
MS State Tax Commission	Utility	NTE	\$ 4,000.00
Miss Municipal Workers' Comp	General		\$13,967.50
	Utility		

REGULAR MEETING DATED AUGUST 5, 2003

	Airport	
	Cemetery	
City of Picayune, Airport	General	\$ 4,300.00Budgeted Transfer
City of Picayune, Airport	UDAG	\$61,747.00Budgeted Transfer
	Majestic	

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE THE MAYOR TO SIGN QUITCLAIM DEED

Motion was made by Council Member Guy, seconded by Council Member Roberson, to authorize the Mayor to sign a Correction Quitclaim Deed for Charles Jarrell, Parcel #517-828-000-00-007.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO ADVERTISE FOR SEMI-ANNUAL BIDS

Motion was made by Council Member Guy, seconded by Council Member Roberson, to authorize Purchasing Agent to advertise for semi-annual bids for the period of October 1, 2003 to March 31, 2004. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO APPROVE DOCKET

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve the docket for the month of July 2003 in the amount of \$612,147.36. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

At this time Council Member Watts entered meeting

CONSIDER MATCHING DONATION FOR J.P. JOHNSON PARK AND BEN TAYLOR PARK

Motion was made by Council Member Bounds, seconded by Council Member Guy, to match funds of \$2,000.00 for the J.P. Johnson Park and \$2,000.00 for the Ben Taylor Park that was donated to the City by the Board of Supervisors of Pearl River County and authorize Mayor to issue a manual check in the amount of \$4,000.00 to Pearl River County Families Resource Center and a manual check in the amount of \$4,000.00 to Concerned Citizen of Goodyear & Greenview Subdivision Club for the improvements of said parks. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Parker, Bounds, and Guy

VOTING NAY: None

The motion was declared carried.

PETITIONS AND COMMUNICATIONS

At this time Jenean Hogsten came before the Mayor and Council to commend and thank the police officers and firefighters in the rescue of her 7 year old kidnapped granddaughter. No action was taken.

RESOLUTION OF THANKS

At this time Mayor Greg Mitchell presented members of the Police Department and members of the Fire Department with a Resolution thanking them for the safe rescue of a 7-year-old female who was kidnapped. No action was taken.

RESOLUTION OF THANKS

RESOLVED: *The Events surrounding the heroic rescue of a seven year old juvenile kidnapped on July 3, 2003, caused the citizens of Picayune to recognize and value the importance of courageous and giving spirits of the ones who protect us.*

NOW THEREFORE: *I Greg Mitchell, Mayor of the City of Picayune and on behalf of all the citizens of the City, we commend your dedication, marked ability, and bravery for your accomplishment.*

IN WITNESS WHEREOF, *I have hereunto set my hand and caused the Seal of the City of Picayune to be affixed this 5th day of August, 2003.*

GREG MITCHELL, MAYOR

PICAYUNE POLICE OFFICERS:

**JIM LUKE-POLICE CHIEF
CAPT. TOM MILAR
EURSULA GOFF-DISPATCH
MARIA NOLAN-DISPATCH**

REGULAR MEETING DATED AUGUST 5, 2003

JAY CREEL-PATROL OFFICER
MIKE ODOM- PATROL OFFICER
STEVE TUCKER-PATROL OFFICER
JASON BUXTON-PATROL OFFICER
THERESA MILAR-COMMUNITY OFFICER
HOLLY KRANTZ-DETECTIVE
CHRIS TOFT-DETECTIVE
JOE QUAVE-CORRECTIONS

RESERVE OFFICERS:
RANDY MESSA
JEREMY STOCKSTILL

CONSIDER BUDGET REQUEST FOR PARTNERS FOR PEARL RIVER COUNTY

Motion was made by Council Member Bounds, seconded by Council Member Guy, to authorize payment in the amount of \$24,000.00 as agreed to in Memo of Understanding with Partners for Pearl River County. Said payment to be disbursed in August and September. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Parker, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ADVERTISE RESOURCES FOR PICAYUNE ALLSTAR 12 YEAR OLD BASEBALL TEAM

Motion was made by Council Member Guy, seconded by Council Member Roberson, to approve advertising resources for the City for the Picayune 12 year old baseball team and issue a manual check in the amount of \$500.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Parker, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO CONNECT SEWER AND CITY WATER FOR HENRY SMITH

Motion was made by Council Member Guy, seconded by Council Member Parker, to authorize Henry Smith, 144 Luther Davis Road, to be connected to City sewer and water subject to Mr. Smith providing all materials and charges incurred. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Parker, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ACCEPT BID FOR LIGHTS AT SNYDER FIELD

REGULAR MEETING DATED AUGUST 5, 2003

Motion was made by Council Member Guy, seconded by Council Member Parker to award low bid of \$32,893.00 from Palmer Electric Inc. for lights at Snyder Field and authorize Mayor to sign contract. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Member, Parker, Guy and Bounds

VOTING NAY: Roberson and Watts

The motion was declared carried.

CONSIDER SUPPLEMENTAL AGREEMENT NO. 3 FOR MEMORIAL ROADWAY IMPROVEMENTS PROJECT

Motion was made by Council Member Guy, seconded by Council Member Roberson, to authorize Mayor to sign Supplemental Agreement No. 3 for Memorial Boulevard Roadway Improvement Project limiting completion time to within 30 days from the execution of said Agreement. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Bounds, Parker and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER ACCEPTING 2003 BULLETPROOF GRANT AWARD

Motion was made by Council Member Watts, seconded by Council Member Roberson, to accept the 2003 Bulletproof Grant Award and authorize Mayor to execute 2003 Bulletproof Grant Award in the amount of \$3,263.73. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Guy, Bounds, Roberson, Watts, and Parker

VOTING NAY: None

The motion was declared carried.

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Guy, seconded by Council Member Watts to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Watts, to enter executive session to discuss Contractual matter on Friendship Park, two real estate matters, potential contractual matters with GPA, O'Reilly Auto Parts, economic development concerning existing industry in Picayune Industrial Park, taxes at Senior Center, the "Jazz Club", and "The Rock" Day Camp. The following roll call vote was taken.

REGULAR MEETING DATED AUGUST 5, 2003

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss contractual matter on Friendship Park, two real estate matters, potential contractual matters with GPA, O'Reilly Auto Parts, economic development concerning existing industry in Picayune Industrial Park, taxes at Senior Center, the "Jazz Club, and "The Rock" Day Camp

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Bounds seconded by Council Member Parker, and unanimously carried, the Mayor reopened the meeting. The Mayor stated that in executive session no action was taken the matter concerning contractual matters with Friendship Park, and upon motion of Council Member Guy, seconded by Council Member Parker, the motion carried, the Mayor and Council established fair market value for land at airport. Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson and Guy voting Yea. Voting Nay: None. No action was taken on potential contractual matters with GPA. *Council Member Watts exits at this time.* No action was taken with O'Reilly Auto Parts, No action was taken with matters concerning taxes at the Senior Center. No action was taken with legal matter concerning the former "Jazz Club" and no action was taken concerning donations for "The Rock" Day Camp.

Council Member Roberson exits at this time.

ORDER TO ADJOURN

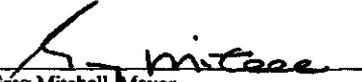
Motion was made by Council Member Bounds and seconded by Council Member Parker, to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members, Parker, Guy, and Bounds

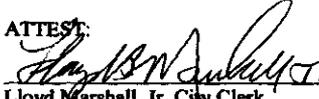
ABSENT AND NOT VOTING: Council Members Watts and Roberson

VOTING NAY: None

The motion was declared carried.


Greg Mitchell, Mayor

ATTEST:


Lloyd Marshall, Jr. City Clerk

August 19, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, August 19, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Kathy H. Watts, Leavern Guy, Sr., Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Lloyd Marshall, City Attorney Nathan Farmer, Chief Jim Luke and Chief Keith Brown.

It being determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Bobby Dailey of Weems Chapel United Methodist Church, followed by the Pledge of Allegiance led by Leavern Guy, Sr.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Guy, seconded by Council Member Bounds, to approve the minutes of the Mayor and City Council dated August 5, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY BUDGET REPORTS

Motion was made by Council Member Guy, seconded by Council Member Bounds, to acknowledge receipt of the Monthly Budget Reports for the month of July 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PUBLIC RECORD REQUESTS REPORT

Motion was made by Council Member Guy, seconded by Council Member Bounds, to acknowledge receipt of the Monthly Public Record Requests Report for the month of July 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Bounds, to approve the issuance of the following manual checks:

Centerpoint Energy	Utility	\$ 25,296.00
Gulfsouth Pipeline Co	Utility	\$ 6,996.31
UMC	Utility	\$ 595.68
Pearl River County		
Development Association	Tourism	\$12,000.00
Peoples Appraisal	General	\$ 1,000.00
Cabot Lodge-Millsaps	Utility	\$ 223.32
Billy McQueen	Utility	\$ 100.00
Greg Mitchell	General	\$ 392.70

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF PRIVILEGE LICENSE REPORTS

Motion was made by Council Member Guy, seconded by Council Member Bounds, to acknowledge receipt of the Privilege License Reports for the month of July 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO VOID 2001 TAX SALE

Motion was made by Council Member Guy, seconded by Council Member Bounds to void 2001 tax sale on parcel 418-623-000-00-016-00 in the name of Louis Stanley, should have had disability exemption. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO VOID 2001 TAX SALE

Motion was made by Council Member Guy seconded by Council Member Bounds, to void 2001 tax sale on parcel 617-11-004-01-046-01 in the name of Deborah Scoggin for the

1997 and 1998 taxes due to Bankruptcy and refund College Investment the sale amount of \$744.99. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO VOID 2000 TAX SALE

Motion was made by Council Member Guy, seconded by Council Member Bounds, to authorize to void 2000 tax sale on parcel 617-111-002-01-013-00 in the name of Charles Hartfield due to Bankruptcy and refund Intrepid tax sale purchase of \$120.29. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER ACCEPTANCE OF THE PLANNING COMMISSION MINUTES

Motion was made by Council Member Guy, seconded by Council Bounds, to accept the minutes of the Planning Commission dated July 8, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER ACKNOWLEDGING RECEIPT OF PLANNING COMMISSION MINUTES

Motion was made by Council Member Guy, seconded by Council Member Bounds, to acknowledge receipt of the Planning Commission minutes dated August 12, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ADVERTISE FOR POLICE UNIFORMS

Motion was made by Council Member Guy, seconded by Council Member Bounds, to authorize Purchasing Agent to advertise annual bids for Police Uniforms. The following roll call was taken.

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried

CONSIDER SETTING PUBLIC HEARING DATE FOR PROPERTY CLEAN-UP AT 815 CAYTEN STREET

Motion was made by Council Member Guy, seconded by Council Member Bounds, to set a public hearing date of September 16, 2003 for property clean-up at 815 Cayten Street, owner Paul Wellman. The following roll call was taken.

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER SETTING PUBLIC HEARING DATE FOR PROPERTY CLEAN-UP AT 2104 WATTS STREET

Motion was made by Council Member Guy, seconded by Council Member Bounds to set public hearing date of September 16, 2003 for property clean-up at 2104 Watts Street, owner Marion Savoie. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER SETTING PUBLIC HEARING DATE FOR PROPERTY CLEAN-UP AT LOT BEHIND 801 6TH AVENUE

Motion was made by Council Member Guy, seconded by Council Member Bounds, to set a public hearing date of September 16, 2003 for property clean-up at lot behind 801 6th Avenue, owner Dr. Charles Krieger. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER SETTING PUBLIC HEARING DATE FOR PROPERTY CLEAN-UP AT 300 NORTH STEELE AVENUE

Motion was made by Council Member Guy, seconded by Council Member Bounds, to set a public hearing date of September 16, 2003 for property clean-up 300 North Steele Avenue, owner Oliver Burkett. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, Watts, and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER SETTING PUBLIC HEARING DATE FOR PROPERTY CLEAN-UP AT 1404 PALESTINE ROAD

Motion was made by Council Member Guy, seconded by Council Member Bounds, to set a public hearing date of September 16, 2003 for property clean-up at 1404 Palestine Road, owner CPS Interprises. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Bounds, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

RECOGNITION OF JAMES SEAL

At this time Mayor Mitchell presented James Seal with a certificate of recognition for receiving second place out of 1500 applicants in the State for Pollution Control Officer of the Year. No official action was taken.

COMMUNICATIONS – "The Rock" Summer Day Camp

At this time Dawn Bechtel presented the Mayor and Council with a picture of the students and a thank you card signed by each student that attended the summer camp. She commended the City, Mayor and Council for their cooperation on the success of the camp. No official action was taken.

CONSIDER REQUEST TO ADVERTISE RESOURCES OF THE CITY

Motion was made by Council Member Parker, seconded by Council Member Bounds, to postpone any decision to authorize the Mayor to advertise resources of the City for Agape Dance and Praise Team to the next council meeting. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Bounds, Roberson and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO BLOCK WHITFIELD STREET FOR CELEBRATION

Motion was made by Council Member Parker, seconded by Council Member Roberson, to grant permission to Agape Dance and Praise Team to block off Whitfield Street between Haugh Avenue and Curran Avenue between 2:30 p.m. and 8:00 p.m. on August 24, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Bounds, Roberson and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FROM SUSAN HARTFIELD TO CONNECT TO CITY WATER

Motion was made by Council Member Guy, seconded by Council Member Roberson; to authorize Susan Hartfield to connect to the City water supply for property located at 2161 Palestine Road with owner paying all cost for connection and material. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Bounds, Roberson and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER BUDGET AMENDMENT #6 FOR YEAR ENDING 09/30/03

Motion was made by Council Member Guy, seconded by Council Member Bounds, to approve request for Budget Amendment #6 for year ending September 30, 2003.

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ELIMINATE CURRENT DISCOUNT TO SENIOR CITIZENS

Motion was made by Council Member Guy, seconded by Council Member Watts, to postpone request to eliminate current discounts to Senior Citizens for gas services until the next Regular Council Meeting. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, Watts and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ACCEPT LOW BID FOR STREET RESURFACING PROJECT

Motion was made by Council Member Bounds, seconded by Council Member Parker to accept low bid from Huey Stockstill for the Street Resurfacing Project and authorize Mayor to sign contract(s) and issue notice to proceed. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER SINGLE FAMILY DWELLING IN C-3 ZONE

**CITY OF PICAYUNE-GENERAL FUND
PROPOSED BUDGET AMENDMENT #6
FOR THE YEAR ENDING 9/30/03**

FUND 001

2001-2002

REVENUES:	BUDGET	AMEND #1	AMEND #2	AMEND #3	AMEND #4	AMEND #5	AMEND #6
LICENSE & PERMITS	375,000	375,000	375,000	375,000	375,000	375,000	375,000
INTERGOVERNMENTAL REVENUES	3,112,000	3,252,651	4,156,151	4,180,465	4,180,465	4,214,212	4,227,412
CHARGES FOR SERVICES	606,000	606,000	606,000	606,000	606,000	606,000	606,000
FINES & FORFEITS	340,000	340,000	340,000	340,000	340,000	341,000	341,000
MISCELLANEOUS	12,000	12,000	12,000	12,000	12,000	12,000	12,000
TRANSFERS IN	1,840,000	350,000	350,000	350,000	350,000	350,000	350,000
INTEREST INCOME	41,000	41,000	41,000	41,000	41,000	41,000	41,000
NON-REVENUE RECEIPTS	0	100	200	2,996	2,996	13,999	14,499
TOTAL FROM ALL SOURCES, OTHER THAN TAXES	6,326,000	4,976,751	5,880,351	5,917,464	5,917,464	5,953,211	5,968,911
BEGINNING CASH	2,052,409	3,599,499	3,599,499	3,599,499	3,599,499	3,599,499	3,599,499
TOTAL RECEIPTS OTHER THAN AD VALOREM TAX	8,378,409	8,576,250	9,479,850	9,516,963	9,516,963	9,552,710	9,568,410
AMOUNT TO BE RAISED BY AD VALOREM TAX	1,489,000	1,489,000	1,489,000	1,489,000	1,489,000	1,489,000	1,489,000
TOTAL FROM ALL SOURCES	9,867,409	10,065,250	10,968,850	11,005,963	11,005,963	11,041,710	11,055,410

EXPENSES:

GENERAL GOVERNMENT

PERSONNEL	903,642	903,642	903,642	903,642	903,642	903,642	903,642
SUPPLIES	35,850	35,850	35,850	35,850	35,850	35,850	35,850
OTHER SERVICES & CHARGES	471,300	481,300	481,300	481,300	481,300	481,300	481,300
CAPITAL OUTLAYS	73,000	73,000	73,000	73,000	73,000	74,000	74,000
TOTAL	1,483,792	1,493,792	1,493,792	1,493,792	1,493,792	1,494,792	1,494,792

PUBLIC SAFETY - POLICE

PERSONNEL	1,664,697	1,664,697	1,664,697	1,664,697	1,665,697	1,661,642	1,661,642
SUPPLIES	143,525	143,525	143,625	136,424	140,524	152,124	148,424
OTHER SERVICES & CHARGES	178,150	178,150	178,150	171,100	168,000	168,000	175,100
CAPITAL OUTLAYS	136,800	136,800	141,800	148,300	148,300	148,300	144,300
TOTAL	2,123,172	2,123,172	2,128,272	2,123,521	2,123,521	2,161,066	2,161,466

PUBLIC SAFETY - FIRE

PERSONNEL	1,272,858	1,272,858	1,272,858	1,272,858	1,272,858	1,272,858	1,272,858
SUPPLIES	58,750	58,850	58,850	58,100	58,100	58,100	58,100
OTHER SERVICES & CHARGES	82,300	87,850	87,850	87,850	87,850	87,850	78,290
CAPITAL OUTLAYS	597,500	597,500	597,500	597,500	597,500	597,500	597,000
TOTAL	1,991,408	1,997,558	1,997,558	1,996,308	1,996,308	1,996,308	1,996,308

**CITY OF PICAYUNE-GENERAL FUND
PROPOSED BUDGET AMENDMENT #6
FOR THE YEAR ENDING 9/30/03**

FUND 001
2001-2002

CONTINUED

EXPENSES:

PUBLIC WORKS

	BUDGET	AMEND #1	AMEND #2	AMEND #3	AMEND #4	AMEND #5	AMEND #6
PERSONNEL	851,354	851,354	851,354	851,354	867,054	867,054	867,054
SUPPLIES	261,100	261,100	261,100	261,100	261,100	261,100	261,100
OTHER SERVICES & CHARGES	854,250	855,250	855,250	855,250	855,250	855,250	855,250
CAPITAL OUTLAYS	742,075	862,726	1,779,726	1,778,726	1,742,226	1,742,226	1,742,226
TOTAL	2,708,779	2,850,430	3,747,430	3,747,430	3,725,630	3,725,630	3,725,630

CULTURE & RECREATION

PERSONNEL	0	0	0	0	0	0	0
SUPPLIES	2,300	2,300	2,300	2,300	2,300	2,300	2,300
OTHER SERVICES & CHARGES	10,000	10,000	10,000	10,000	10,000	10,000	10,000
CAPITAL OUTLAYS	12,000	12,000	16,000	16,000	53,500	53,500	53,500
TOTAL	24,300	24,300	28,300	28,300	65,800	65,800	65,800

COST OF LIVING RAISES	234,000	234,000	234,000	234,000	234,000	234,000	234,000
AID TO OTHER GOVERNMENTS	45,425	45,425	45,425	45,425	45,425	45,425	45,425
TRANSFERS OUT	372,800	373,599	373,599	373,599	369,020	369,020	369,020
ENDING CASH BALANCE	864,133	926,474	922,974	863,588	932,467	929,669	942,969
TOTAL EXPENDITURES & ENDING CASH BALANCE	9,867,409	10,065,250	10,968,850	11,005,963	11,005,963	11,041,710	11,055,410

**CITY OF PICAYUNE-GENERAL FUND
PROPOSED BUDGET AMENDMENT #6
FOR THE YEAR ENDING 9/30/05**

FUND 001

2002-2003

REVENUES:	BUDGET	AMEND.#1	AMEND.#2	AMEND.#3	AMEND.#4	AMEND.#5	AMEND.#6
LICENSE & PERMITS	375,000	375,000	375,000	375,000	375,000	375,000	375,000
INTERGOVERNMENTAL REVENUES	3,112,000	3,252,651	4,156,151	4,190,465	4,190,465	4,214,212	4,227,412
CHARGES FOR SERVICES	606,000	606,000	606,000	606,000	606,000	606,000	606,000
FINES & FORFEITS	340,000	340,000	340,000	340,000	340,000	340,000	341,000
MISCELLANEOUS	12,000	12,000	12,000	12,000	12,000	12,000	12,000
TRANSFERS IN	1,840,000	350,000	350,000	350,000	350,000	350,000	350,000
INTEREST INCOME	41,000	41,000	41,000	41,000	41,000	41,000	41,000
NON-REVENUE RECEIPTS	0	100	200	2,969	2,969	13,969	14,469
TOTAL FROM ALL SOURCES, OTHER THAN TAXES	6,326,000	4,976,751	5,860,361	5,917,464	5,917,464	5,853,211	5,966,911
BEGINNING CASH	2,052,409	3,599,499	3,599,499	3,599,499	3,599,499	3,599,499	3,599,499
TOTAL RECEIPTS OTHER THAN AD VALOREM TAX	8,378,409	8,576,250	9,478,650	9,516,963	9,516,963	9,452,710	9,566,410
AMOUNT TO BE RAISED BY AD VALOREM TAX	1,489,000	1,489,000	1,489,000	1,489,000	1,489,000	1,489,000	1,489,000
TOTAL FROM ALL SOURCES	9,867,409	10,065,250	10,968,650	11,005,963	11,005,963	11,041,710	11,055,410

EXPENSES:

GENERAL GOVERNMENT

PERSONNEL	903,642	903,642	903,642	903,642	903,642	903,642	903,642
SUPPLIES	35,850	35,850	35,850	35,850	35,850	35,850	35,850
OTHER SERVICES & CHARGES	471,300	481,300	481,300	481,300	481,300	481,300	481,300
CAPITAL OUTLAYS	73,000	73,000	73,000	73,000	73,000	74,000	74,000
TOTAL	1,463,792	1,493,792	1,493,792	1,493,792	1,493,792	1,494,792	1,494,792

PUBLIC SAFETY - POLICE

PERSONNEL	1,664,697	1,664,697	1,664,697	1,664,697	1,665,897	1,591,642	1,691,642
SUPPLIES	143,525	143,525	143,525	136,424	140,524	152,124	146,424
OTHER SERVICES & CHARGES	178,150	178,150	178,150	171,100	169,800	168,800	179,100
CAPITAL OUTLAYS	136,600	136,600	141,800	148,300	148,300	148,300	144,200
TOTAL	2,123,172	2,123,172	2,128,272	2,123,521	2,123,521	2,161,666	2,161,666

PUBLIC SAFETY - FIRE

PERSONNEL	1,272,656	1,272,656	1,272,656	1,272,656	1,272,656	1,272,656	1,272,656
SUPPLIES	56,750	56,860	56,860	56,100	56,100	56,100	56,100
OTHER SERVICES & CHARGES	62,800	67,850	67,850	67,850	67,850	67,850	78,290
CAPITAL OUTLAYS	597,500	597,500	597,500	597,500	597,500	597,500	597,060
TOTAL	1,960,006	1,966,066	1,966,066	1,966,306	1,966,306	1,966,306	1,966,306

**CITY OF PICAYUNE-GENERAL FUND
PROPOSED BUDGET AMENDMENT #6
FOR THE YEAR ENDING 9/30/05**

FUND 001
2001-2002

CONTINUED

EXPENSES:

PUBLIC WORKS

	BUDGET	AMEND.#1	AMEND.#2	AMEND.#3	AMEND.#4	AMEND.#5	AMEND.#6
PERSONNEL	851,354	851,354	851,354	851,354	967,054	967,054	897,054
SUPPLIES	261,100	261,100	261,100	261,100	261,100	261,100	261,100
OTHER SERVICES & CHARGES	855,250	855,250	855,250	855,250	855,250	855,250	855,250
CAPITAL OUTLAYS	742,075	887,726	1,779,726	1,779,726	1,742,226	1,742,226	1,742,226
TOTAL	2,709,779	2,895,430	3,747,430	3,747,430	3,725,630	3,725,630	3,725,630

CULTURE & RECREATION

PERSONNEL	0	0	0	0	0	0	0
SUPPLIES	2,300	2,300	2,300	2,300	2,300	2,300	2,300
OTHER SERVICES & CHARGES	10,000	10,000	10,000	10,000	10,000	10,000	10,000
CAPITAL OUTLAYS	12,000	12,000	16,000	16,000	63,000	63,000	63,000
TOTAL	24,300	24,300	28,300	28,300	65,600	65,600	65,600

COST OF LIVING RAISES	234,000	234,000	234,000	234,000	234,000	234,000	234,000
AID TO OTHER GOVERNMENTS	45,425	45,425	45,425	45,425	45,425	45,425	45,425
TRANSFERS OUT	372,900	373,569	373,569	373,569	369,020	369,020	369,020
ENDING CASH BALANCE	884,133	925,474	922,974	963,596	932,467	929,669	942,869

**TOTAL EXPENDITURES & ENDING
CASH BALANCE**

9,867,409	10,065,250	10,968,650	11,005,963	11,005,963	11,041,710	11,055,410
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CITY OF MCAYUNE
 ECONOMIC DEVELOPMENT FUND
 PROPOSED BUDGET AMENDMENT #6
 FOR THE YEAR ENDING 8/30/03

FUND 110
 2002-2003

REVENUES:

ECONOMIC DEVELOPMENT

	ORIGINAL BUDGET	AMEND #1	NC AMEND #2	NC AMEND #3	AMEND #4	AMEND #5	AMEND #6
SALES TAX REVENUE	240,000	240,000	240,000	240,000	240,000	0	0
INTEREST INCOME	13,200	13,200	13,200	13,200	13,200	13,200	13,200
RENT	3,750	3,750	3,750	3,750	3,750	3,750	3,750
SALE OF LOTS	0	0	0	0	0	67,200	67,200
SUBTOTAL	256,950	256,950	256,950	256,950	256,950	84,150	84,150
BEGINNING CASH	0	0	0	0	0	209,482	209,482
TOTAL ECO DEV	256,950	256,950	256,950	256,950	256,950	293,632	293,632

TOURISM

SALES TAX REVENUE	0	0	0	0	0	240,000	240,000
BEGINNING CASH	0	0	0	0	0	492,075	492,075
TOTAL TOURISM	0	0	0	0	0	732,075	732,075

CDBG RAILSPUR

CDBG RAILSPUR GRANT REVENUE	0	0	0	0	178,835	178,835	178,835
TRANSFER FROM GENERAL	0	0	0	0	15,421	15,421	15,421
INTEREST INCOME	0	0	0	0	0	0	0
SUBTOTAL	0	0	0	0	195,356	195,356	195,356
BEGINNING CASH	0	0	0	0	0	0	0
TOTAL CDBG RAILSPUR	0	0	0	0	195,356	195,356	195,356

TOTAL REVENUES

	256,950	256,950	256,950	256,950	452,306	1,221,063	1,221,063
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BEGINNING CASH

	693,328	701,557	701,557	701,557	701,557	0	0
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TOTAL FROM ALL SOURCES

	910,278	958,507	958,507	958,507	1,153,863	1,221,063	1,221,063
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EXPENSES:

ECONOMIC DEVELOPMENT

SUPPORT TO OTHER ORGAN	10,000	10,000	10,000	10,000	10,000	0	0
OTHER SERVICES	0	0	0	0	0	0	39,000
CAPITAL OUTLAYS-LAND	0	0	0	0	0	21,500	21,500
SUBTOTAL	10,000	10,000	10,000	10,000	10,000	21,500	60,500
ENDING CASH BALANCE	0	0	0	0	0	272,132	253,132
TOTAL ECON DEV EXPENSE	10,000	10,000	10,000	10,000	10,000	293,632	293,632

TOURISM

SUPPORT TO OTHER ORGAN	0	0	0	0	0	10,000	10,000
OTHER SERVICES	0	0	0	0	0	0	39,000
CAPITAL OUTLAYS	0	0	0	0	0	10,000	40,000
SUBTOTAL	0	0	0	0	0	10,000	40,000
ENDING CASH BALANCE	0	0	0	0	0	722,075	692,075
TOTAL TOURISM EXPENSE	0	0	0	0	0	732,075	732,075

CDBG RAILSPUR

SUPPLIES	0	0	0	0	0	0	0
OTHER SERVICES	0	0	0	0	0	0	0
CAPITAL OUTLAYS	0	0	0	0	195,356	195,356	195,356
SUBTOTAL	0	0	0	0	195,356	195,356	195,356
ENDING CASH BALANCE	0	0	0	0	0	0	0
TOTAL CDBG RAILSPUR	0	0	0	0	195,356	195,356	195,356

TOTAL EXPENSES

	10,000	10,000	10,000	10,000	205,356	1,221,063	1,221,063
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ENDING CASH BALANCE

	600,278	648,507	648,507	648,507	648,507	0	0
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TOTAL EXPENSES & ENDING CASH BALANCE

	910,278	958,507	958,507	958,507	1,153,863	1,221,063	1,221,063
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CITY OF PISCATAWAY-AIRPORT FUND
PROPOSED BUDGET AMENDMENT #8
FOR THE YEAR ENDING 8/31/03

FUND 351

2002-2001

REVENUES:	ORIGINAL	N/C			N/C		
	BUDGET	AMEND # 1	AMEND # 2	AMEND # 3	AMEND # 4	AMEND # 5	AMEND # 6
FEDERAL GRANTS	1,701,083	654,668	654,668	654,668	654,668	654,668	654,668
STATE GRANTS	14,799	14,799	14,799	14,799	14,799	14,799	14,799
REVENUES	68,000	74,000	74,000	109,000	109,000	109,000	109,000
LOAN PROCEEDS	0	0	0	0	0	0	0
TRANSFERS IN	4,300	66,047	66,047	66,047	66,047	66,047	66,047
TOTAL REVENUE	1,788,181	809,514	809,514	844,514	844,514	844,514	844,514
BEGINNING CASH & INVESTMENTS	351,188	93,070	93,070	93,070	93,070	93,070	93,070
TOTAL FROM ALL SOURCES	2,139,373	902,584	902,584	937,584	937,584	937,584	937,584
EXPENSES:							
PERSONNEL	52,609	52,609	52,609	52,609	52,609	52,609	52,609
SUPPLIES	26,000	26,000	26,000	61,000	61,000	61,000	61,000
OTHER SERVICES & CHARGES	47,000	47,000	47,000	47,000	47,000	47,000	54,000
CAPITAL OUTLAYS	217,900	469,627	469,627	469,627	469,627	469,627	469,627
TOTAL OPERATING EXPENSES	343,509	595,236	595,236	630,236	630,236	630,236	630,236
LOAN PAYMENTS-LOANED FROM GEN	1,460,000	0	0	0	0	0	0
LOAN PAYMENTS(TRANSF OUT)	126,500	126,500	126,500	126,500	126,500	126,500	126,500
ENDING CASH & INVESTMENTS	179,364	180,848	180,848	180,848	180,848	180,848	180,848
TOTAL DISBURSEMENTS & ENDING CASH BALANCE	2,139,373	902,584	902,584	937,584	937,584	937,584	937,584

CITY OF PICAYUNE LTD FUND
 PROPOSED BUDGET AMENDMENT #8
 FOR THE YEAR ENDING 9/30/03

SCHEDULE OF BID PRICES
FY03 STREET PAVING PROJECT
CITY OF PICAYUNE, MISSISSIPPI

CITY OF PICAYUNE		AMEND #1		AMEND #2		AMEND #3		AMEND #4		AMEND #5		AMEND #6	
BUDGET	AMEND #1	AMEND #2	AMEND #3	AMEND #4	AMEND #5	AMEND #6	AMEND #7	AMEND #8	AMEND #9	AMEND #10	AMEND #11	AMEND #12	AMEND #13
556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500
556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500
0	0	0	0	0	0	0	0	0	0	0	0	0	0
556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500	556,500

REVENUES:

TRANSFER IN

INITIAL REVENUES
 BEGINNING CASH
 No.

Description

TOTAL FROM ALL SOURCES

1.	Asphalt Milling (Ref. Sht. 3)	5562 SY	\$ 2.30	\$12,742.60
EXPENSES:				
	PRINCIPAL & INTEREST PAYMENTS	556500	556,500	556,500
2.	Asphalt Base Course full depth 9 inch thickness SC-2 surface type 8 or 9	543 Tons	\$53.40	\$29,006.20
TOTAL EXPENSES & BIDDING CASH BALANCE				
3.	Asphalt Leveling Course SC-2 surface type 8 or 9	100 Tons	\$53.40	\$5,340.00
4.	1.5 inch Asphalt Overlay SC-2, surface type 8 or 9	5742 Tons	\$53.40	\$306,622.80
5.	Traffic Stripe, continuous double yellow thermoplastic, 4"	330 LF	\$ 6.00	\$1,980.00
6.	Traffic Stripe, broken yellow thermoplastic, 4"	4070 LF	\$ 5.00	\$20,350.00
7.	Sewer Manhole Risers, 1"	40 EA	\$ 130.00	\$5,200.00
8.	Water/Valve Risers, 1"	4 EA	\$ 110.00	\$ 440.00

\$ 373,581.60

TOTAL BID PRICE IN FIGURES

Three hundred seventy three thousand five hundred eighty one dollars & sixty cents

TOTAL BID PRICE IN WORDS

dollars & sixty cents

Printing Error

**SCHEDULE OF BID PRICES
FY03 STREET PAVING PROJECT
CITY OF PICAYUNE, MISSISSIPPI
PICAYUNE JOB NO. 600-21**

<u>Item No.</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Extension</u>
1.	Asphalt Milling (Ref. Sht. 3)	5562 SY	\$ 2.30	\$12,742.60
2.	Asphalt Base Repair full depth 9 inch thickness SC-2 surface type 8 or 9	543 Tons	\$53.40	\$28,444.20
3.	Asphalt Leveling Course SC-2 surface type 8 or 9	100 Tons	\$53.40	\$5,340.00
4.	1.5 inch Asphalt Overlay SC-2, surface type 8 or 9	5742 Tons	\$53.40	\$306,129.80
5.	Traffic Stripe, continuous double yellow thermoplastic, 4"	330 LF	\$ 6.00	\$1,980.00
6.	Traffic Stripe, broken yellow thermoplastic, 4"	4070 LF	\$ 5.00	\$20,350.00
7.	Sewer Manhole Risers, 1"	40 EA	\$ 130.00	\$5,200.00
8.	Water/Valve Risers, 1"	4 EA	\$ 110.00	\$ 440.00

\$393,581.60

TOTAL BID PRICE IN FIGURES

Three hundred seventy three thousand five hundred eighty one
TOTAL BID PRICE IN WORDS
dollars a sixty cents

Motion was made by Council Member Guy, seconded by Council Member Parker to grant request of Billy Brown to build a single family dwelling at 1910 ast Canal Street in C-3 zone. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, Watts and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REZONING FROM M-1 MOBILE HOME PARK TO R-4 MEDIUM DENSITY RESIDENTIAL

Motion was made by Council Member Bounds, seconded by Council Member Watts to deny request to rezone South side of Rosa Street and North side of Nixon 16th Section Addition, from M-1 Mobile Home Park to R-4 Medium Density Residential. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts and Bounds

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER 10' SIDE YARD VARIANCE

Motion was made by Council Member Roberson, seconded by Council Member Watts to grant a 10' side yard variance for Bill Stegall to erect a new sign for Chevron Station located at 1101 Memorial Blvd. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

At this time Council Member Bounds exits meeting

CONSIDER GRANT AGREEMENT FROM FAA TO CITY OF PICAYUNE FOR INSTALLATION OF TAXIWAY LIGHTING AND ACQUIRE LAND

Motion was made by Council Member Guy, seconded by Council Member Roberson to accept Grant Award from FAA in the amount of \$147,893.00 and authorize the Mayor to sign Grant Agreement. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

CONSIDER CONTRACT BETWEEN CITY OF PICAYUNE AND KEYS ELECTRIC, INC. FOR INSTALLATION OF TAXIWAY LIGHTING

Motion was made by Council Member Guy, seconded by Council Member Parker to grant request of Billy Brown to build a single family dwelling at 1910 ast Canal Street in C-3 zone. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, Watts and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REZONING FROM M-1 MOBILE HOME PARK TO R-4 MEDIUM DENSITY RESIDENTIAL

Motion was made by Council Member Bounds, seconded by Council Member Watts to deny request to rezone South side of Rosa Street and North side of Nixon 16th Section Addition, from M-1 Mobile Home Park to R-4 Medium Density Residential. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts and Bounds

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER 10' SIDE YARD VARIANCE

Motion was made by Council Member Roberson, seconded by Council Member Watts to grant a 10' side yard variance for Bill Stegall to erect a new sign for Chevron Station located at 1101 Memorial Blvd. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

At this time Council Member Bounds exits meeting

CONSIDER GRANT AGREEMENT FROM FAA TO CITY OF PICAYUNE FOR INSTALLATION OF TAXIWAY LIGHTING AND ACQUIRE LAND

Motion was made by Council Member Guy, seconded by Council Member Roberson to accept Grant Award from FAA in the amount of \$147,893.00 and authorize the Mayor to sign Grant Agreement. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

CONSIDER CONTRACT BETWEEN CITY OF PICAYUNE AND KEYS ELECTRIC, INC. FOR INSTALLATION OF TAXIWAY LIGHTING

Motion was made by Council Member Parker, seconded by Council Member Guy to authorize the Mayor to sign contract, Notice of Award and Notice to Proceed with Keyes Electric, Inc. in the amount of \$69,325.00, for the installation of taxiway lighting at the Picayune Municipal Airport. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried

CONSIDER ESTABLISHING DISADVANTAGED BUSINESS ENTERPRISE (DBE)

Motion was made by Council Member Guy, seconded by Council Member Parker to adopt the DBE Program and authorize the Mayor to sign DBE Program as required by the Department of Transportation for the City's Intermodal Center. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

CONSIDER GRANT AGREEMENT FROM USDA RURAL DEVELOPMENT FOR THE PICAYUNE FIRE DEPARTMENT

Motion was made by Council Member Guy, seconded by Council Member Roberson to accept grant award from USDA Rural Development, for the City of Picayune Fire Department in the amount of \$63,855.00, and authorize the Mayor sign Grant Agreement and other pertinent documents. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

At this time Council Member Bounds re-entered meeting.

CONSIDER AIRPORT DEVELOPMENT AGREEMENT WITH MDOT

Motion was made by Council Member Guy, seconded by Council Member Parker to accept Grant Award from Mississippi Department of Transportation in the amount of \$16,432.00 and authorize the Mayor to sign said Airport Agreement. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members, Bounds, Roberson, Parker, Watts and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO PROVIDE SUPPLEMENTAL POLICE SERVICES WITH THE HOUSING AUTHORITY

Motion was made by Council Member Watts, seconded by Council Member Roberson to postpone the decision of accepting the contract with the Housing Authority for the provision of supplemental police services until the next scheduled regular council meeting, September 2, 2003, and directed City Attorney Nathan Farmer to investigate retirement issue. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, Watts and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FROM FIRE DEPARTMENT TO CONDUCT BOOT DRIVE FUNDRAISER FOR MUSCULAR DYSTROPHY ASSOCIATION

Motion was made by Council Member Guy, seconded by Council Member Bounds to authorize the Picayune Fire Department to conduct a boot drive fundraiser August 30, 2003 at the corners of Highway 11 South & Canal Street and the corner of Highway 43 South & Ridge Road (Walmart), for the benefit of Muscular Dystrophy Association. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, Watts and Guy

VOTING NAY: None

The motion was declared carried

CONSIDER REQUEST TO ENTER INTO DOMESTIC PREPAREDNESS COOPERATIVE AGREEMENT WITH MISSISSIPPI EMERGENCY MANAGEMENT AGENCY

Motion was made by Council Member Parker, seconded by Council Member Bounds to authorize the Mayor, City Clerk and City Attorney to sign agreement between City of Picayune and Mississippi Emergency Management Agency for Homeland Security funding. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, Watts and Guy

VOTING NAY: None

The motion was declared carried

CONSIDER REQUEST TO AMEND AGENDA

Motion was made by Council Member Watts, seconded by Council Member Guy to amend the agenda to include a copy of letter from EPA to the Picayune Fire Department commending their efforts in a recent 18 wheeler accident on I-59. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, Watts and Guy

VOTING NAY: None

The motion was declared carried



STATE OF MISSISSIPPI
DAVID RONALD MUSGRAVE, GOVERNOR
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
CHARLES H. CHISOLM, EXECUTIVE DIRECTOR

July 22, 2003

Keith Brown, Fire Chief
Picayune Fire Department
2233 Adcox Road
Picayune, MS 39466

RE: 18 wrecker accidents, I-59, Pearl River County

Dear Chief:

I would like to take this opportunity to express appreciation to Picayune Fire Department, for efforts related to the above referenced incidents. Assistance from Picayune Fire Fighters during these incidents cannot be measured.

Please see that Fire Fighters are congratulated.

Thanks to their efforts the health and safety of Mississippi's citizens and the environment were protected.

The Mississippi Department of Environmental Quality has enjoyed a great working relationship over the years with local agencies. MDEQ is making an effort to recognize the job these agencies do to protect Mississippi's citizens and our natural resources during emergency incidents.

Sincerely,

Eric S. Dear
Chief, Emergency Services Branch

REQUEST TO RECONSIDER ZONING from M-1 MOBILE HOME PARK TO R-4 MEDIUM DENSITY RESIDENTIAL

Motion was made by Council Member Roberson, seconded by Council Member Watts to reconsider the request of rezoning South side of Rosa Street and North side of Nixon 16th Section Addition from M-1 Mobile Home Park to R-4 Medium Density Residential and postpone any decision until the next scheduled regular council meeting. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, Watts and Guy

VOTING NAY: None

The motion was declared carried

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Guy, seconded by Council Member Watts to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Roberson, Parker, Watts and Guy

VOTING NAY: None

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Roberson, to enter executive session to establish fair market value of property, contractual matters with GPA, potential purchase of land from Mark Gibson, tax exemption on Senior Center, and economic development concerning existing industry in Picayune Industrial Park. The following roll call vote was taken.

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, Watts and Guy

VOTING NAY: None

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss to establish fair market value of property, contractual matters with GPA, potential purchase of land from Mark Gibson, tax exemption on Senior Center, and economic development concerning existing industry in Picayune Industrial Park.

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Guy and seconded by Council Member Bounds, and unanimously carried, the Mayor reopened the meeting. *At this time Council members Roberson and Watts left the meeting.* The Mayor stated that in executive session and upon motion of Council Member Guy, seconded by Council Member Bounds and unanimously carried, Fair Market Value was established for proposed property to be acquired from Norfolk Southern in the amount of \$71,000.00 for the Intermodal Center. No action was taken on Contractual matters with GPA or potential purchase of land from M. Mark Gibson Upon motion by Council Member Guy, seconded by Council Member Bounds and unanimously carried, the Picayune Senior Center was given a tax exemption. There was no action taken on economic development with existing industry in Picayune Industrial Park.

ORDER TO ADJOURN

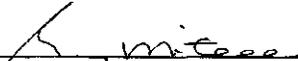
Motion was made by Council Member Guy and seconded by Council Member Bounds to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Guy, and Parker

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Watts and Roberson

The motion was declared carried.



Greg Mitchell, Mayor

ATTEST:



Lloyd Marshall, Jr., City Clerk

September 2, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, September 2, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Lloyd Marshall, Jr., City Attorney Nathan Farmer, Police Chief Jim Luke, and Fire Chief Keith Brown.

It Being Determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Rev. Mike Price of Church of Christ, followed by the Pledge of Allegiance, led by: Council Member Roberson.

ORDER TO AMEND CONSENT AGENDA

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to amend the Consent Agenda to remove Item B; Consider approval issuance of manual checks. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Watts and Guy

The motion was declared carried.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to approve the minutes of the Mayor and City Council dated August 18, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Watts and Guy

The motion was declared carried.

CONSIDER REQUEST OF STREET CLOSURE FOR PICAYUNE'S STREET FAIR

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to approve request of Picayune Downtown's Association for street closure for Picayune's Fifteenth Street Fair on November 1st and 2nd, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Watts and Guy

REGULAR MEETING DATED SEPTEMBER 2, 2003

Motion was made by Council Member Roberson, seconded by Council Member Guy, to enter executive session to discuss additional personnel authorized to sign checks and potential litigation with local hospital. The following roll call vote was taken.

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss additional personnel authorized to sign checks and potential litigation with local hospital.

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Bounds, seconded by Council Member Roberson, and unanimously carried, the Mayor reopened the meeting. The Mayor stated that in executive session and upon motion of Council Member Bounds, seconded by Council Member Parker to authorize the City Clerk, Lloyd Marshall, Jr. to sign warrants, the motion carried, Mayor Mitchell, Council Members Parker, Bounds, Roberson and Guy voting Yea. Voting Nay: None. Absent and not voting Council Member Watts. No action was taken on potential litigation with the local hospital.

ORDER TO ADJOURN

Motion was made by Council Member Bounds and seconded by Council Member Roberson, to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members, Parker, Guy, Roberson and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Lloyd Marshall, Jr. City Clerk

*Printer
Error*

REGULAR MEETING DATED SEPTEMBER 2, 2003

The motion was declared carried.

CONSIDER REQUEST TO ADVERTISE FOR BIDS TO RENEW CITY'S WASTEWATER DISCHARGE PERMIT

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to authorize Purchasing Agent to advertise for bids to renew the City's Wastewater discharge permit. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Watts and Guy

The motion was declared carried.

ORDER TO APPROVE DOCKET

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to approve the docket for the month of July 2003 in the amount of \$666,928.69. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Watts and Guy

The motion was declared carried.

CONSIDER REQUEST TO DECLARE PROPERTY SURPLUS

Motion was made by Council Member Bounds, seconded by Council Member Roberson to declare the following property surplus and authorize the Purchasing Agent to sell at Durham Auction:

One 1992 Cadillac El Dorado bearing VIN # 1G6EL13BXNU608529

One 1985 Cadillac Deville bearing VIN # 1G6CCD6980F4332618

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Watts and Guy

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE MAYOR TO SIGN QUITCLAIM DEED

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to authorize Mayor's signature on Quitclaim Deed for 1999 tax parcel 617 839 000 01 016 01 in the name of Beulah Kennedy The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Bounds, and Parker

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Watts and Guy

REGULAR MEETING DATED SEPTEMBER 2, 2003

The motion was declared carried.

RESOLUTION

At this time Mayor Greg Mitchell presented Coaches and team members of the 12 Year Old Baseball Team with a Resolution commending them for a job well done. No action was taken.

RESOLUTION

A RESOLUTION COMMENDING THE PICAYUNE 12 YEAR OLD BASEBALL TEAM

WHEREAS, the Picayune 12 Year Old Allstar Baseball Team has accumulated a highly impressive record, winning the District II Little League Championship and Mississippi State Championship, and

WHEREAS, the Picayune 12 Year Old Allstar Baseball Team, through determination, dedication and hard work, have reached this monumental mark, and

WHEREAS, the Picayune 12 Year Old Baseball Team, Manager Vance Herrin, and his coaches, Hershel Dillard and Jim Williams, have shown an attitude of inspired determination and have represented the City of Picayune in a true spirit of sportsmanship, and

WHEREAS, the Picayune 12 Year Old Allstar Baseball Team is enthusiastically supported by the coaches, parents, city officials and hundreds of loyal fans.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Picayune that the 12 Year Old Picayune Allstar Baseball Team and their Coaches are to be highly commended for their efforts and undaunted determination in achieving their impressive record for the 2003 season.

Adopted this the 2nd day of September 2003.

Team Members:

Greg Mitchell, Mayor

*Jason Daniels, Brandon Farmer, Brady Jordan
Cody Dillard, Colby Dillard, Brett Tortorich
Jacob Gandy, Hunter Gill, Corey Troglen
Brant Graham, Blake Herrin, Garrett Williams*

At this time Council Member Gay entered meeting.

PETITIONS AND COMMUNICATIONS

At this time Harold Holmes presented an update on homes in the Picayune area covered under the Pre-Disaster Mitigation Program. No action was taken.

CONSIDER REQUEST TO ALLOW IMPROVEMENTS TO RAILROAD PARK

Motion was made by Council Member Bounds, seconded by Council Member Roberson to allow Main Street Design Committee to proceed with their refurbishment and beautification project for Railroad Park. The following roll call vote was taken:

REGULAR MEETING DATED SEPTEMBER 2, 2003

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

At this time Debbie Dutchman representing the Picayune Riding Club requested the Mayor and Council reconsider allowing club to continue to use grounds at Friendship Park once new Complex is built. No action was taken.

At this time Council Member Bounds exited meeting.

CONSIDER REQUEST TO ADVERTISE RESOURCES OF THE CITY

No action was taken by Council on request to authorize the Mayor to advertise resources of the City for Agape Dance and Praise Team due to publication deadline has passed.

At this time Council Member Bounds re-entered meeting.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Roberson, seconded by Council Member Guy, to approve the issuance of the following two manual checks:

City of Picayune General Fund	Utility	NTE	\$52,000.00
MS State Tax Commission	Utility	NTE	\$ 4,000.00

The issuance of the following manual check was tabled and not approved:

City of Picayune General Fund	General	ECO DEV	\$6,510.00
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The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO PROVIDE SUPPLEMENTAL POLICE SERVICES WITH THE HOUSING AUTHORITY

Motion was made by Council Member Bounds, seconded by Council Member Roberson to postpone the decision of accepting the contract with the Housing Authority for the provision of supplemental police services until the next scheduled regular council meeting, September 16, 2003, and directed City Attorney Nathan Farmer to re-write provision "L" regarding Retirement The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST FROM JULIA KELLY TO CITY UTILITIES

REGULAR MEETING DATED SEPTEMBER 2, 2003

Motion was made by Council Member Roberson, seconded by Council Member Bounds to authorize Julia Kelly to connect to City Water and Gas to property located at 34 Archie Lane with the condition that she be responsible for all cost associated with the connection. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER DISSOLVING COMMUNITY DEVELOPMENT ADVISORY BOARD

Motion was made by Council Member Bounds, seconded by Council Member Parker, to disband the Community Development Advisory Board, with the option to reappoint if necessary. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO DECLARE FIRE PLUGS SURPLUS

Motion was made by Council Member Guy, seconded by Council Member Roberson, to declare 6 fireplugs that have been taken out of service and not usable as surplus and authorize the sale of said fireplugs to Gene Combs for \$100.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

The motion was declared carried.

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Roberson, seconded by Council Member Bounds to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

REGULAR MEETING DATED SEPTEMBER 2, 2003

Motion was made by Council Member Roberson, seconded by Council Member Guy, to enter executive session to discuss additional personnel authorized to sign checks and potential litigation with local hospital. The following roll call vote was taken.

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss additional personnel authorized to sign checks and potential litigation with local hospital.

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Bounds, seconded by Council Member Roberson, and unanimously carried, the Mayor reopened the meeting. The Mayor stated that in executive session and upon motion of Council Member Bounds, seconded by Council Member Parker to authorize the City Clerk, Lloyd Marshall, Jr. to sign warrants, the motion carried, Mayor Mitchell, Council Members Parker, Bounds, Roberson and Guy voting Yea. Voting Nay: None. Absent and not voting Council Member Watts. No action was taken on potential litigation with the local hospital.

ORDER TO ADJOURN

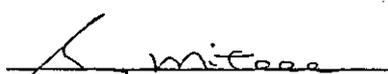
Motion was made by Council Member Bounds and seconded by Council Member Roberson, to adjourn. The following roll call vote was taken:

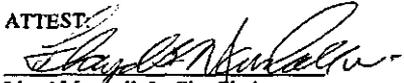
VOTING YEA: Mayor Mitchell, Council Members, Parker, Guy, Roberson and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.


Greg Mitchell, Mayor

ATTEST:

Lloyd Marshall, Jr. City Clerk

September 4, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in a special called meeting at the Criminal Justice Center in said City, Thursday, September 4, 2003, at 6:00 p.m. with the following officials present: Mayor Greg Mitchell, Council Members Leavern Guy, Sr., Lucian Roberson, Kathy Watts, Donald Parker, and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Lloyd Marshall, Jr.

The call for this special meeting was as follows:

**CALL FOR SPECIAL MEETING OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF PICAYUNE**

TO: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Kathy Watts, Leavern Guy, Sr. and Jerry Bounds

Notice is hereby given that a Special Meeting of the Mayor and City Council of the City of Picayune, Mississippi, is hereby called and will be held at the Criminal Justice Center, 328 South Main Street, at 6:00 p.m. on September, the 4th day. The purpose of the meeting is a Budget Workshop for the 2003-2004 fiscal year of the City of Picayune.

September 3, 2003
Date

/s/ J.P. Burns, Jr.
J.P. Burns, Jr.

**A POLICE OFFICER OF THE CITY OF PICAYUNE, MISSISSIPPI WILL EXECUTE
AND RETURN THE ABOVE NOTICE**

We, the undersigned Mayor and Council Members of the City of Picayune, Mississippi, hereby acknowledge service of the above call upon us personally.

/s/ Greg Mitchell
Greg Mitchell, Mayor

/s/ Lucian Roberson
Lucian Roberson

/s/ Donald Parker
Donald Parker

/s/ Kathy Watts
Kathy Watts

/s/ Leavern Guy
Leavern Guy

/s/ Jerry Bounds
Jerry Bounds

I have personally served notice upon the person of each of the above-signed Council Members.

September 3, 2003
Date

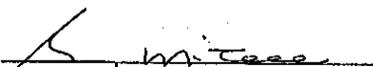
/s/ Capt. Ricky Frierson
Picayune Police Officer

BUDGET WORKSHOP

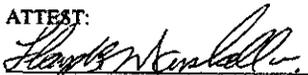
A meeting was held to discuss the budget for the 2003-2004 fiscal year.

No official action was taken.

SPECIAL MEETING DATED JULY 3, 2003



Greg Mitchell, Mayor

ATTEST:


Lloyd Marshall, Jr., City Clerk

September 8, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in a special called meeting at the Criminal Justice Center in said City, Monday, September 8, 2003, at 5:00 p.m. with the following officials present: Mayor Greg Mitchell, Council Members Leavern Guy, Sr., Lucian Roberson, Kathy Watts, Donald Parker, and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Lloyd Marshall, Jr.

The call for this special meeting was as follows:

**CALL FOR SPECIAL MEETING OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF PICAYUNE**

TO: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Kathy Watts, Leavern Guy, Sr. and Jerry Bounds

Notice is hereby given that a Special Meeting of the Mayor and City Council of the City of Picayune, Mississippi, is hereby called and will be held at the Criminal Justice Center, 328 South Main Street, at 5:00 p.m. on September, the 8th day. The purpose of the meeting is a Budget Hearing for the 2003-2004 fiscal year of the City of Picayune.

September 5, 2003
Date

/s/ J.P. Burns, Jr.
J.P. Burns, Jr.

**A POLICE OFFICER OF THE CITY OF PICAYUNE, MISSISSIPPI WILL EXECUTE
AND RETURN THE ABOVE NOTICE**

We, the undersigned Mayor and Council Members of the City of Picayune, Mississippi, hereby acknowledge service of the above call upon us personally.

/s/ Greg Mitchell
Greg Mitchell, Mayor

/s/ Lucian Roberson
Lucian Roberson

/s/ Donald Parker
Donald Parker

/s/ Kathy Watts
Kathy Watts

/s/ Leavern Guy
Leavern Guy

/s/ Jerry Bounds
Jerry Bounds

I have personally served notice upon the person of each of the above-signed Council Members.

September 5, 2003
Date

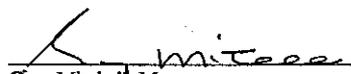
/s/ Capt. Ricky Frierson
Picayune Police Officer

BUDGET HEARING

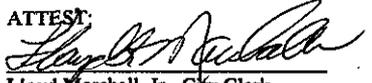
A meeting was held to discuss the budget for the 2003-2004 fiscal year.

No official action was taken.

SPECIAL MEETING DATED SEPTEMBER 8, 2003



Greg Mitchell, Mayor

ATTEST:


Lloyd Marshall, Jr., City Clerk

September 15, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in a special called meeting at the Criminal Justice Center in said City, Monday, September 15, 2003, at 5:00 p.m. with the following officials present: Mayor Greg Mitchell, Council Members Leavern Guy, Sr., Lucian Roberson, Kathy Watts, Donald Parker, and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Lloyd Marshall, Jr.

The call for this special meeting was as follows:

**CALL FOR SPECIAL MEETING OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF PICAYUNE**

TO: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Kathy Watts, Leavern Guy, Sr. and Jerry Bounds

Notice is hereby given that a Special Meeting of the Mayor and City Council of the City of Picayune, Mississippi, is hereby called and will be held at the Criminal Justice Center, 328 South Main Street, at 5:00 p.m. on September, the 15th day. The purpose of the meeting is to adopt the Budget for the 2003-2004 fiscal year of the City of Picayune.

September 8, 2003
Date

/s/ J.P. Burns, Jr.
J.P. Burns, Jr.

**A POLICE OFFICER OF THE CITY OF PICAYUNE, MISSISSIPPI WILL EXECUTE
AND RETURN THE ABOVE NOTICE**

We, the undersigned Mayor and Council Members of the City of Picayune, Mississippi, hereby acknowledge service of the above call upon us personally.

/s/ Greg Mitchell
Greg Mitchell, Mayor

/s/ Lucian Roberson
Lucian Roberson

/s/ Donald Parker
Donald Parker

Kathy Watts

/s/ Leavern Guy
Leavern Guy

/s/ Jerry Bounds
Jerry Bounds

I have personally served notice upon the person of each of the above-signed Council Members.

September 8, 2003
Date

/s/ Capt. Ricky Frierson
Picayune Police Officer

**CONSIDER ADOPTION OF THE BUDGET FOR THE YEAR ENDING SEPTEMBER
30, 2004**

Motion was made by Council Member Bounds, seconded by Council Member Parker to adopt the budget for the fiscal year beginning October 1, 2003 and ending September 30, 2004. The following roll call was taken:

SPECIAL MEETING DATED SEPTEMBER 15, 2003

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried.

ORDER TO ADJOURN

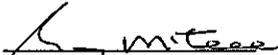
Motion was made by Council Member Roberson and seconded by Council Member Parker to adjourn. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried.


Greg Mitchell, Mayor

ATTEST:


Lloyd Marshall, Jr., City Clerk

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SPECIAL MEETING DATED SEPTEMBER 30, 2003

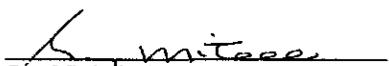
The Mayor assured everyone the City of Picayune would do everything possible to provide assistance to the workers being laid off.

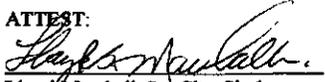
No action was taken.

PICAYUNE ON STAGE

There was a long discussion regarding the placement of Picayune On Stage being a part of the proposed building to be erected at Friendship Park. New plans were shown.

No action was taken.


Greg Mitchell, Mayor

ATTEST:

Lloyd Marshall, Jr., City Clerk

October 14, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in a special called meeting at the Criminal Justice Center in said City, Tuesday, October 14, 2003, at 6:00 p.m. with the following officials present: Mayor Greg Mitchell, Council Members Leavern Guy, Sr., Lucian Roberson, Kathy Watts, Donald Parker, and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Lloyd Marshall, Jr.

The call for this special meeting was as follows:

**CALL FOR SPECIAL MEETING OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF PICAYUNE**

TO: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Kathy Watts, Leavern Guy, Sr. and Jerry Bounds

Notice is hereby given that a Special Meeting of the Mayor and City Council of the City of Picayune, Mississippi, is hereby called and will be held at the Criminal Justice Center, 328 South Main Street, at 6:00 p.m. on October, the 14th day. The purpose of the meeting is to meet with Allen & Hoshall for a Comprehensive Plan Workshop.

October 10, 2003
Date

/s/ J.P. Burns, Jr.
J.P. Burns, Jr.

**A POLICE OFFICER OF THE CITY OF PICAYUNE, MISSISSIPPI WILL EXECUTE
AND RETURN THE ABOVE NOTICE**

We, the undersigned Mayor and Council Members of the City of Picayune, Mississippi, hereby acknowledge service of the above call upon us personally.

/s/ Greg Mitchell
Greg Mitchell, Mayor

/s/ Lucian Roberson
Lucian Roberson

/s/ Donald Parker
Donald Parker

Kathy Watts

/s/ Leavern Guy
Leavern Guy

/s/ Jerry Bounds
Jerry Bounds

I have personally served notice upon the person of each of the above-signed Council Members.

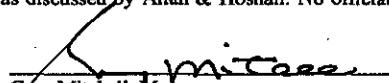
October 13, 2003
Date

/s/ Capt. Ricky Frierson
Picayune Police Officer

DISCUSSION ON COMPREHENSIVE PLAN

A discussion of the Comprehensive Plan was discussed by Allan & Hoshall. No official action was taken

ATTEST 
Lloyd Marshall, Jr., City Clerk


Greg Mitchell, Mayor

September 16, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, September 16, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members, Donald Parker, Lucian Roberson, Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Lloyd Marshall, City Attorney Nathan Farmer, Police Chief Jim Luke and Fire Chief Keith Brown.

It being determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance led by Lucian Roberson.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to approve the minutes of the Mayor and City Council dated September 2, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and, Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY BUDGET REPORTS

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to acknowledge receipt of the Monthly Budget Reports for the month of August 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PUBLIC RECORD REQUESTS REPORT

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to acknowledge receipt of the Monthly Public Record Requests Report for the month of August 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to approve the issuance of the following manual checks:

Centerpoint Energy	Utility	\$ 22,506.00
Gulfsoouth Pipeline Co	Utility	\$ 6,874.04
UMC	Utility	\$ 588.52
City of Picayune General Fund		
	Eco Dev	6,510.00

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF PRIVILEGE LICENSE REPORTS

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to acknowledge receipt of the Privilege License Reports for the month of August 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried.

CONSIDER REQUEST TO VOID 2003 TAX SALE

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to void 2003 tax sale on parcel 617-624-000-00-025-02 in the name of Walmart Real Estate and refund College the tax sale amount of \$3,507.65. The taxes were paid and should not have sold. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried.

CONSIDER REQUEST TO VOID 2003 TAX SALE

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to void 2003 tax sale on parcel 517-735-000-00-06107 in the name of Jay Shugart, due to his

homestead exemption lien being satisfied with MS State and refund Magnolia \$133.80. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried.

CONSIDER ACCEPTANCE OF THE PLANNING COMMISSION MINUTES

Motion was made by Council Member Bounds, seconded by Council Roberson, to accept the minutes of the Planning Commission dated August 12, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried.

CONSIDER ACKNOWLEDGING RECEIPT OF PLANNING COMMISSION MINUTES

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to acknowledge receipt of the Planning Commission minutes dated September 9, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried.

CONSIDER REQUEST FOR MAYOR TO SIGN QUITCLAIM DEED

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to authorize Mayor to sign Quitclaim Deed for taxes in the name of Lula Mae McLaurin for parcel 617-623-001-03-001-00. The following roll call was taken.

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried

CONSIDER SETTING PUBLIC HEARING DATE FOR PROPERTY CLEAN-UP AT FIRST HOUSE ON LEFT ON JERUSALEM BEHIND HARDEE'S

RECESSED MEETING, SEPTEMBER 16, 2003

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to set a public hearing date of October 21, 2003 for property clean-up at first house on left on Jerusalem behind Hardee's, owner Alexandeos Goodson. The following roll call was taken.

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried.

CONSIDER SETTING PUBLIC HEARING DATE FOR PROPERTY CLEAN-UP AT 600 SOUTH HAUGH AVENUE

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to set public hearing date of October 21, 2003 for property clean up at 600 South Haugh Avenue, owner Yvonne Simpson. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried.

CONSIDER REQUEST TO VOID 2003 TAX SALE

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to void 2003 tax sale on parcel 617-417-000-00-017-00 in the name of Karen Ruffin, due to assessment error by PRC and refund College \$1,109.33. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and, Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried.

CONSIDER REQUEST TO VOID 2001 TAX SALE

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to void 2001 tax sale, in the name of Gill & Associates, on Twelve Oaks Subdivision as recommended by the PRC Tax Assessor and refund sale amounts of \$2,402.10 for 17 parcels. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried.

CONSIDER REQUEST TO ACCEPT SEMI-ANNUAL BIDS FOR OCTOBER 1, 2003 TO MARCH 31, 2004

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to accept low bid on semi-annual bids for period October 1, 2003 to March 31, 2004 as follows:

Chlorine in 150 lb. cylinder, including delivery to sewerage treatment plant	54.00	Industrial Chemical
Oxygen - Welding 244 c. ft. per cylinder	6.50	Nordan Smith
Acetylene - 100 cu. ft.	13.20	Nordan Smith
Hot Bituminous Surface Plantmix Asphalt SC-1	35.00	Huey Stockstill, Inc.
Hot Bituminous Surface Plantmix Asphalt SC-2	35.00	Huey Stockstill, Inc.
Hot Mix Asphalt (lay and haul)	50.00	HueyStockstill, Inc.
Hot Mix Sand Asphalt	50.00	HueyStockstill, Inc.
EA-4 for tack	1.00	Huey Stockstill, Inc.
30 X 36 trash bags, 1.5 mill, black or brown, 52 per box or roll	3.12	McNelly Plastic
Concrete Pipe		
12" reinforced	11.18	Hanson Pipe & Products
15" reinforced	11.88	Hanson Pipe & Products
18" reinforced	13.13	Hanson Pipe & Products
21" reinforced	17.80	Hanson Pipe & Products
24" reinforced	21.60	Hanson Pipe & Products
27" reinforced	26.70	Hanson Pipe & Products
30" reinforced	30.00	Hanson Pipe & Products
36" reinforced	42.50	Hanson Pipe & Products
42" reinforced	53.00	Hanson Pipe & Products
48" reinforced	69.00	Hanson Pipe & Products
54" reinforced	84.80	Hanson Pipe & Products
60" reinforced	102.80	Hanson Pipe & Products
18" X 11" reinforced arch pipe	21.27	Hanson Pipe & Products
22" X 13" reinforced arch pipe	23.00	Hanson Pipe & Products
29" X 18" reinforced arch pipe	29.60	Hanson Pipe & Products
36" X 23" reinforced arch pipe	35.50	Hanson Pipe & Products
44" X 27" reinforced arch pipe	49.00	Hanson Pipe & Products
58" X 36" reinforced arch pipe	80.70	Hanson Pipe & Products
65" X 40" reinforced arch pipe	98.40	Hanson Pipe & Products
73" X 45" reinforced arch pipe	122.00	Hanson Pipe & Products
88" X 54" reinforced arch pipe	169.00	Hanson Pipe & Products
51" X 31" reinforced arch pipe	63.75	Hanson Pipe & Products
Concrete per yard 2,500 lb. mix	57.95	Huey Stockstill, Inc.
Concrete per yard 3,000 lb. mix	59.95	Huey Stockstill, Inc.
Concrete Manholes		
60" bottom, 6 in. overhang, 8 in. thick	no bid	Hanson Pipe & Products
60" flat slab top	no bid	Hanson Pipe & Products
60" precast concrete wet well	no bid	Hanson Pipe & Products
72" bottom, 6 in. overhang, 8 in. thick	no bid	Hanson Pipe & Products
72" flat slab top	no bid	Hanson Pipe & Products
72" precast concrete wet well	no bid	Hanson Pipe & Products
48" X 36" precast cone section	59.75	Hanson Pipe & Products
48" precast riser section	59.75	Hanson Pipe & Products
70" diam x 6" thick precast bottom	110.00ea	Hanson Pipe & Products
48" precast flat slab top	95.00	Hanson Pipe & Products
4" concrete adjusting ring	16.50	Hanson Pipe & Products
6" concrete adjusting ring	25.00	Hanson Pipe & Products
4" flexible coupling	32.00	Hanson Pipe & Products
6" flexible coupling	34.00	Hanson Pipe & Products
8" flexible coupling	38.00	Hanson Pipe & Products
10" flexible coupling	44.00	Hanson Pipe & Products
12" flexible coupling	46.00	Hanson Pipe & Products

Cast iron manhole ring and cover	186.00	Hanson Pipe & Products
Polyethylene Culvert Pipe (per foot)		
8" diameter smooth interior pipe	1.62	ADS
10" diameter smooth interior pipe	1.81	ADS
12" diameter smooth interior pipe	2.59	ADS
15" diameter smooth interior pipe	3.64	ADS
18" diameter smooth interior pipe	5.80	ADS
24" diameter smooth interior pipe	8.75	ADS
30" diameter smooth interior pipe	13.85	ADS
36" diameter smooth interior pipe	17.85	ADS
42" diameter smooth interior pipe	24.95	ADS
48" diameter smooth interior pipe	29.17	ADS

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried.

CONSIDER REQUEST FROM EMILY MARTINDALE TO CONNECT TO CITY WATER

Motion was made by Council Member Bounds, seconded by Council Member Parker; to authorize Emily Martindale to connect to the City water supply for properties located at 74 Stafford Road and 76 Stafford Road with owner paying all cost for connection and material. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried.

CONSIDER BUDGET AMENDMENT #7 FOR YEAR ENDING 09/30/03

Motion was made by Council Member Bounds, seconded by Council Member Parker, to approve request for Budget Amendment #7 for year ending September 30, 2003.

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried.

CONSIDER REQUEST TO ADOPT 2003 HANCOCK COUNTY LAND ROLL TOTALS

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to adopt totals from the 2003 Land Roll as prepared by Hancock County Tax Assessor/Collector. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, and Bounds

CITY OF PRAYUNE-GENERAL FUND
 PROPOSED BUDGET AMENDMENT #7
 FOR THE YEAR ENDING 8/30/03

FUND 001

2002-2003

REVENUES:

	BUDGET	AMEND #1	AMEND #2	AMEND #3	AMEND #4	AMEND #5	AMEND #6	AMEND #7
LICENSE & PERMITS	375,000	375,000	375,000	375,000	375,000	375,000	375,000	375,000
INTERGOVERNMENTAL REVENUES	3,112,000	3,252,851	4,158,151	4,180,485	4,180,485	4,214,212	4,322,412	4,322,412
CHARGES FOR SERVICES	608,000	608,000	608,000	608,000	608,000	608,000	608,000	608,000
FINES & FORFEITS	340,000	340,000	340,000	340,000	340,000	341,000	341,000	341,000
MISCELLANEOUS	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
TRANSFERS IN	1,840,000	360,000	360,000	360,000	360,000	360,000	360,000	360,000
INTEREST INCOME	41,000	41,000	41,000	41,000	41,000	41,000	41,000	41,000
NON-REVENUE RECEIPTS	0	100	200	2,999	2,999	13,999	14,499	14,499
TOTAL FROM ALL SOURCES	8,528,000	8,678,761	8,880,351	8,917,484	8,917,484	9,068,211	9,081,911	9,081,911
OTHER THAN TAXES								
BEGINNING CASH	2,052,409	3,589,499	3,589,499	3,589,499	3,589,499	3,589,499	3,589,499	3,589,499
TOTAL RECEIPTS OTHER THAN AD VALOREM TAX	8,578,408	8,678,260	8,479,850	8,518,983	8,518,983	8,682,710	8,681,410	8,681,410
AMOUNT TO BE RAISED BY AD VALOREM TAX	1,489,000	1,489,000	1,489,000	1,489,000	1,489,000	1,489,000	1,489,000	1,489,000
TOTAL FROM ALL SOURCES	9,867,408	10,088,260	10,968,850	11,008,983	11,008,983	11,041,710	11,150,410	11,150,410

EXPENSES:

GENERAL GOVERNMENT

PERSONNEL	903,842	903,842	903,842	903,842	903,842	903,842	903,842	903,842
SUPPLIES	35,850	35,850	35,850	35,850	35,850	35,850	35,850	35,850
OTHER SERVICES & CHARGES	471,300	481,300	481,300	481,300	481,300	481,300	481,300	481,300
CAPITAL OUTLAYS	73,000	73,000	73,000	73,000	73,000	74,000	74,000	74,000
TOTAL	1,483,792	1,493,792	1,493,792	1,493,792	1,493,792	1,494,792	1,494,792	1,494,792

PUBLIC SAFETY - POLICE

PERSONNEL	1,694,897	1,694,897	1,694,897	1,694,897	1,695,897	1,691,842	1,691,842	1,718,242
SUPPLIES	143,525	145,528	143,525	139,424	140,524	152,124	157,524	157,524
OTHER SERVICES & CHARGES	178,150	178,150	178,150	171,100	169,800	168,800	179,500	180,200
CAPITAL OUTLAYS	139,820	139,820	141,800	148,300	148,300	145,300	145,300	145,300
TOTAL	2,125,172	2,128,172	2,128,272	2,123,521	2,123,521	2,151,066	2,114,596	2,198,306

PUBLIC SAFETY - FIRE

PERSONNEL	1,272,858	1,272,858	1,272,858	1,272,858	1,272,858	1,272,858	1,272,858	1,292,858
SUPPLIES	58,700	58,850	58,650	58,100	58,100	58,100	58,100	55,100
OTHER SERVICES & CHARGES	82,800	67,850	67,850	67,800	67,800	67,850	67,850	61,780
CAPITAL OUTLAYS	597,600	597,600	597,600	597,600	697,600	697,600	697,600	542,580
TOTAL	1,950,008	1,995,058	1,995,058	1,995,358	1,995,358	1,995,358	1,995,358	1,972,288

PUBLIC WORKS

PERSONNEL	851,354	851,354	851,354	851,354	857,054	857,054	857,054	855,054
SUPPLIES	281,100	281,100	281,100	281,100	281,100	281,100	281,100	282,100
OTHER SERVICES & CHARGES	855,250	855,250	855,250	855,250	855,250	855,250	855,250	855,250
CAPITAL OUTLAYS	742,075	882,728	1,779,728	1,779,728	1,742,228	1,742,228	1,837,228	1,837,228
TOTAL	2,709,779	2,869,432	3,747,432	3,747,432	3,726,632	3,726,632	3,820,632	3,820,632

CULTURE & RECREATION

PERSONNEL	0	0	0	0	0	0	0	0
SUPPLIES	2,300	2,300	2,300	2,300	2,300	2,300	2,300	2,300
OTHER SERVICES & CHARGES	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
CAPITAL OUTLAYS	12,000	12,000	18,000	18,000	53,500	53,500	53,500	53,500
TOTAL	24,300	24,300	28,300	28,300	65,800	65,800	65,800	65,800

COST OF LIVING RAISES	234,000	234,000	234,000	234,000	234,000	234,000	234,000	234,000
AID TO OTHER GOVERNMENTS	45,425	45,425	45,425	45,425	45,425	45,425	45,425	45,425
TRANSFERS OUT	272,800	373,589	373,589	373,589	369,520	389,020	389,020	389,020
ENDING CASH BALANCE	854,133	825,474	822,974	883,589	832,467	829,869	829,869	829,869
TOTAL EXPENDITURES & ENDING CASH BALANCE	9,867,408	10,088,260	10,968,860	11,008,983	11,008,983	11,041,710	11,150,410	11,150,410

CITY OF POCAYUNE-UTILITY FUND
PROPOSED BUDGET AMENDMENT #7#
FOR THE YEAR ENDING 9/30/03

FUND 405

2002-2003

REVENUES:	ORIGINAL BUDGET	AMEND #1	NC AMEND #2	NC AMEND #3	NC AMEND #4	NC AMEND #5	NC AMEND #6	AMEND #7
CHARGES FOR UTILITY SERVICES	3,490,000	3,490,000	3,490,000	3,490,000	3,490,000	3,490,000	3,490,000	3,490,000
NON-REVENUE RECEIPTS	13,000	13,000	13,000	367,750	367,750	367,750	367,750	367,750
INTEREST INCOME	33,000	33,000	33,000	33,000	33,000	33,000	33,000	33,000
LOAN PROCEEDS	0	0	0	243,019	243,019	243,019	243,019	243,019
TOTAL REVENUES	3,536,000	3,536,000	3,536,000	4,133,769	4,133,769	4,133,769	4,133,769	4,133,769
BEGINNING CASH	2,184,508	2,273,020	2,273,020	2,273,020	2,273,020	2,273,020	2,273,020	2,273,020
TOTAL FROM ALL SOURCES	5,720,508	5,809,020	5,809,020	6,406,789	6,406,789	6,406,789	6,406,789	6,406,789
EXPENSES:								
UTIL. ADMINISTRATION								
PERSONNEL	119,900	119,900	119,900	119,900	119,900	119,900	119,900	119,900
SUPPLIES	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000
OTHER SERVICES & CHARGES	86,100	94,100	94,100	94,100	94,100	94,100	94,100	94,100
CAPITAL OUTLAYS	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000
TOTAL	220,000	228,000						
TREATMENT PLANT & UTILITY CONSTRUCTION								
PERSONNEL	958,405	958,405	958,405	958,405	958,405	958,405	958,405	958,405
SUPPLIES	1,987,250	1,987,250	1,987,250	1,987,250	1,987,250	1,987,250	1,987,250	1,987,250
OTHER SERVICES & CHARGES	365,855	365,855	365,855	365,855	365,855	365,855	365,855	418,073
CAPITAL OUTLAYS	829,186	829,186	829,186	1,545,208	1,545,208	1,545,208	1,545,208	1,329,735
TOTAL	4,170,696	4,170,696	4,170,696	4,862,718	4,862,718	4,862,718	4,862,718	4,862,433
COST OF LIVING RAISES	55,000	55,000	55,000	55,000	55,000	55,000	55,000	55,000
AID TO OTHER GOVERNMENTS	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000
TRANSFERS OUT	37,000	37,000	37,000	37,000	37,000	37,000	37,000	37,000
ENDING CASH BALANCE	867,807	956,324	956,324	850,074	850,074	850,074	850,074	844,366
TOTAL EXPENDITURES & ENDING CASH BALANCE	5,720,508	5,809,020	5,809,020	6,406,789	6,406,789	6,406,789	6,406,789	6,406,789

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Watts

The motion was declared carried.

At this time Council Member Watts entered Meeting.

CONSIDER REQUEST TO ADOPT 2003 PEARL RIVER COUNTY LAND ROLL TOTALS

Motion was made by Council Member Parker, seconded by Council Member Bounds, adopt totals from the 2003 Land Roll, as prepared by Pearl River County Tax Assessor/Collector. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST TO ADOPT ORDINANCE TO LEVY TAXES FOR YEAR ENDING SEPTEMBER 30, 2004

Motion was made by Council Member Bounds, seconded by Council Member Parker, to adopt Ordinance 787 to levy taxes for the year ending September 2004.

ORDINANCE NO 787

AN ORDINANCE FIXING THE LEVY FOR THE MUNICIPAL TAXES FOR THE CITY OF PICAYUNE, MISSISSIPPI AND THE PICAYUNE SEPARATE SCHOOL DISTRICT FOR THE FISCAL YEAR 2003-2004, BEGINNING OCTOBER 1, 2003 AND ENDING SEPTEMBER 30, 2004

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PICAYUNE, MISSISSIPPI, AS FOLLOWS:

SECTION 1. That a levy for general and special municipal purposes of 23.25 mills on the dollar upon real, personal and fixed property within the corporate limits of the City of Picayune, Mississippi, taxable according to law, and a levy of 51.50 mills on the dollar upon real, personal and fixed property within the Picayune Municipal Separate School District of Pearl River County and Hancock County, Mississippi, taxable according to law, be and the same is hereby fixed and declared for the fiscal year 2003-2004, for the following purposes, to-wit:

GENERAL FUND (Authority: Mississippi Code of 1972, Section 27-39-307)	21.25
PEARL RIVER COUNTY LIBRARY SYSTEM (Authority: Mississippi Code of 1972, Section 39-3-7)	2.00
TOTAL FOR ALL MUNICIPAL PURPOSES	23.25
FOR SCHOOL COSTS	51.50

(Authority: Mississippi Code of 1972,
Section 37-57-1, et. seq.)

TOTAL FOR ALL SCHOOL PURPOSES	51.50
TOTAL FOR ALL MUNICIPAL AND SCHOOL PURPOSES	74.75

SECTION 2. That for good cause therefore, it being necessary to immediately transmit levy for approval of the State Tax Commission, it is ordered that this Ordinance take effect and be in full force and effect from and after its passage, but shall nevertheless be published and enrolled as provided by law.

The foregoing Ordinance, after having been first reduced to writing, was introduced by Council Member Bounds, seconded by Council Member Parker, and was adopted by the following roll call vote:

VOTING YEA: Mayor Mitchell, Council members Roberson, Parker, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

Whereupon the Mayor declared that the motion was carried and the Ordinance adopted, on this 16th day of September 2003.

Greg Mitchell, Mayor

Lloyd B. Marshall, Jr., City Clerk

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

At this time Council Member Parker exited the Meeting.

PETITIONS AND COMMUNICATIONS

At this time Mike Myrick and Gary Gray spoke to the Council concerning preparing a survey for the City on energy efficiency within City buildings. No official action was taken.

At this time Gerald Patch, Attorney for the Picayune School Board presented an idea to fire the cannon at each touch down scored by the Picayune Maroon Tide Football Team at the home games. No official action was taken

At this time Mayor Mitchell presented Bill Edwards with a Certificate of Appreciation for years of service with the Planning Commission. No official Action was taken.

WHEREAS, the City, by and through its police department, desires to assist in the effort by providing effective police services at all Authority locations;

NOW, THEREFORE, the Authority and the City agree as follows:

ARTICLE I
Scope of Services

SECTION ONE: SERVICES PROVIDED BY THE CITY

The City agrees that the services rendered by the Assigned Personnel (police and civilian) under this Contract are in addition to baseline police services. The City Agrees that it will not reduce its current level of community policing, patrol, criminal investigations, records, dispatch and special operations.

The manner and method of performance of services is specified in Article IV, Plan of Operations.

The duties and extent of services of the Assigned Personnel shall include, but shall not be limited to:

- A. The City, by and through its police department, will provide police officers to perform specialized patrols to enforce all state and local laws and the Housing Authority Rules specified in this Contract. Sworn officers shall at all times remain part of, subject to and in direct relationship with the police department's chain of command and under police department rules, regulations and standard operating procedures.
- B. The City agrees to assign police officers to targeted areas during specific periods of time identified by the Authority and agreed upon by the City as high crime or high workload periods, to maintain a police patrol presence.
- C. The City agrees that the police department will employ a community policing concept and that the police department's Crime Prevention Unit (or other unit whose primary responsibility is to develop and maintain communications with residents) will assist in developing or enhancing crime prevention programs in the public housing communities.

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HOUSING AUTHORITY OF THE CITY OF PICAYUNE, MISSISSIPPI CONTRACT
FOR THE PROVISION OF SUPPLEMENTAL POLICE SERVICES

This Contract, made and entered into this 1st day of September, 2003 by and between the Housing Authority of the City of Picayune, Mississippi (hereinafter called the "Authority") and the City of Picayune, Mississippi (hereinafter called the "City") is for the provision of specific police services associated with the Authority's security programs.

WHEREAS, the Authority desires to contract with the City for additional police services to create a drug-and crime-free environment and to provide for the safety and protection of the residents in its public housing developments; and

WHEREAS, the City, by and through its police department, desires to assist in the effort by providing effective police services at all Authority locations;

NOW, THEREFORE, the Authority and the City agree as follows:

ARTICLE I
Scope of Services

SECTION ONE: SERVICES PROVIDED BY THE CITY

The City agrees that the services rendered by the Assigned Personnel (police and civilian) under this Contract are in addition to baseline police services. The City Agrees that it will not reduce its current level of community policing, patrol, criminal investigations, records, dispatch and special operations.

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- A. The City, by and through its police department, will provide police officers to perform specialized patrols to enforce all state and local laws and the Housing Authority Rules specified in this Contract. Sworn officers shall at all times remain part of, subject to and in direct relationship with the police department's chain of command and under police department rules, regulations and standard operating procedures.
- B. The City agrees to assign police officers to targeted areas during specific periods of time identified by the Authority and agreed upon by the City as high crime or high workload periods, to maintain a police patrol presence.
- C. The City agrees that the police department will employ a community policing concept and that the police department's Crime Prevention Unit (or other unit whose primary responsibility is to develop and maintain communications with residents) will assist in developing or enhancing crime prevention programs in the public housing communities.

CONSIDER REQUEST TO ADVERTISE RESOURCES OF THE CITY

Motion was made by Council Member Roberson, seconded by Council Member Watts to authorize the Mayor to advertise resources of the City in the Picayune Memorial High School Year Book and issue a manual check in the amount of \$135.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watts, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

The motion was declared carried.

CONSIDER REQUEST TO DECLARE CONSTITUTION WEEK

Motion was made by Council Member Roberson, seconded by Council Member Watts to declare the week of September 17, 2003 to September 23, 2003 constitution Week and authorize Mayor to sign Proclamation. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

The motion was declared carried.

CONSIDER REQUEST TO PROVIDE SUPPLEMENTAL POLICE SERVICES WITH THE HOUSING AUTHORITY

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to accept the contract with the Housing Authority for the provision of supplemental police services and authorize Mayor to sign. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Bounds, and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

The motion was declared carried.

CONSIDER REQUEST TO APPROVE FINAL PLAT OF HAYDON OAKS SUBDIVISION

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to approve final plat of Haydon Oaks Subdivision, 6379 Highway 11 North owned by Mark Gibson. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Bounds, and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

The motion was declared carried.

CONSIDER REQUEST TO APPROVE PUD-R CONSTRUCTION PLAN FOR RIDGECREST SUBDIVISION

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to approve request to approve PUD-R construction plan for Ridgecrest Subdivision off of El Patch Parkway owned by Jonathan Pearson. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

The motion was declared carried.

CONSIDER 10' SIDE YARD VARIANCE

Motion was made by Council Member Roberson, seconded by Council Member Watts, to grant a 10' side rear yard variance for Horace E. Combs, III, DMD to erect a dentist office at 500 Goodyear Blvd., OP Zone. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

The motion was declared carried.

CONSIDER HOLDING PUBLIC HEARING FOR PROPERTY CLEAN-UP

All of the following properties have been properly cleaned up therefore no official action was taken:

- a. 1404 Palestine Road
- b. 300 North Steele Avenue
- c. lot behind 801 6th Avenue
- d. 2104 Watts Street

CONSIDER REQUEST TO AMEND AGENDA

Motion was made by Council Member Bounds, seconded by Council Member Watts, to amend the agenda to include a request from Community Development to hold a public hearing for citizen input on Outdoor Recreation Grant. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Bounds, and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

The motion was declared carried

CONSIDER HOLDING PUBLIC HEARING FOR CITIZEN INPUT REGARDING AN APPLICATION TO MS DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR AN OUTDOOR RECREATION GRANT

Motion was made by Council Member Roberson, seconded by Council Member Watts, to authorize Planning and Development to hold a Public Hearing to obtain citizen input for and

application to MS Department of Wildlife, Fisheries and Parks for an Outdoor Recreation Grant. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

The motion was declared carried

CONSIDER REQUEST TO AMEND THE FEE FOR POLICE DEPARTMENT RECORDS CHECK

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to amend the fee for the Police Department records check from ten dollars to fifteen dollars. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

The motion was declared carried.

ORDER TO ADJOURN

Motion was made by Council Member Bounds and seconded by Council Member Roberson to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Watts, and Roberson

VOTING NAY: None

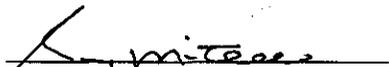
ABSENT AND NOT VOTING: Council Members Guy and Parker

The motion was declared carried.

ATTEST:



Lloyd Marshall, Jr., City Clerk



Greg Mitchell, Mayor

October 7, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, October 7, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Leavern Guy, Sr., Kathy Watts, and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Lloyd Marshall, Jr., City Attorney Nathan Farmer, Police Chief Jim Luke, and Fire Chief Keith Brown.

It Being Determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Rev. Darrell Worley of Christian Life Assembly of God, followed by the Pledge of Allegiance, led by: Council Member Parker

ORDER TO AMEND CONSENT AGENDA

Motion was made by Council Member Bounds, seconded by Council Member Parker, to amend the Consent Agenda to remove Item E; Consider setting a public hearing date of November 18, 2003 for property clean-up at 800 Laird Street. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None.

The motion was declared carried.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Parker, to approve the minutes of the Mayor and City Council dated September 4, 2003, September 8, 2003, September 15, 2003 and September 16, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Parker, to approve the issuance of the following manual checks:

City of Picayune General Fund	Utility	NTE	\$49,884.93
MS State Tax Commission	Utility	NTE	\$ 2,194.00
Trustmark Natl Bank	Gen		\$12,277.81
MS Municipal Service	Gen		\$48,366.67
	Utility		
	Airport		
	Cemetey		
Hartmann Engineering, Inc	Utility		\$27,250.00

REGULAR MEETING DATED OCTOBER 7, 2003

David Bean	Gen	\$ 154.00
Allen & Hoshall	Airport	\$ 900.00

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ACCEPT BID FOR POLICE UNIFORMS

Motion was made by Council Member Bounds, seconded by Council Member Parker, to accept bid from Mid-South Uniform & Supply for Police Uniforms. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO SET PUBLIC HEARING DATE FOR 206 WEST SYCAMORE

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize Public Hearing date of November 18, 2003 for property clean up at 206 West Sycamore-owner Gladys Ammons. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO SET PUBLIC HEARING DATE FOR 113 WEST SYCAMORE

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize Public Hearing date of November 18, 2003 for property clean up at 113 West Sycamore-owner James & Marie Adcox. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE MAYOR TO SIGN QUITCLAIM DEED

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize Mayor's signature on Quitclaim Deed for 1984 taxes in the name of S-Ware Enterprises, Parcel 518-829-000-00-025-00. The following roll call vote was taken:

REGULAR MEETING DATED OCTOBER 7, 2003

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR MAYOR AND COUNCIL TO TRAVEL TO NASHVILLE FOR SHOW CASE OF CITIES

Motion was made by Council Member Bounds, seconded by Council Member Parker to authorize Mayor and Council to travel to Nashville, TN for the ShowCase of Cities Conference on December 9-12, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, Watts and Guy

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE DOCKET

Council Member Guy, seconded by Council Member Parker made motion, to approve the docket for the month of September, 2003 in the amount of \$404,311.23. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

PETITIONS AND COMMUNICATIONS

At this time a representative from Coast Electric Power Association spoke to the Council concerning the closing of B-Way to help employees being laid off on how to cut cost and minimize their electric bill. No action was taken.

At this time the City Manager read a letter from Mississippi Power Company stating that they will work with the B-Way employees who are losing their jobs and need help.

CONSIDER REQUEST FOR STREET CLOSURE FOR HALLOWEEN BLOCK PARTY

Motion was made by Council Member Guy, seconded by Council Member Bounds to allow for street closure for a Halloween Block Party on October 31, 2003 between 6 p.m. and 10 p.m. for one block of Tate Street between Highway 11 and Haugh Avenue The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, Watts and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO REAPPOINT LIBRARY ADVISORY BOARD MEMBER

Motion was made by Council Member Bounds, seconded by Council Member Roberson to reappoint Dr. James L. Schrock to the Picayune Library Advisory Board for a term of five years. The following roll call vote was taken:

REGULAR MEETING DATED OCTOBER 7, 2003

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, Watts and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ACCEPT OF MUNICIPAL COMPLIANCE QUESTIONNAIRE

Motion was made by Council Member Parker, seconded by Council Member Bounds to accept and include Municipal Compliance Questionnaire as a part of minutes, as required by State Auditor's Office. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, Watts and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER GRANT AGREEMENT WITH FEDERAL TRANSIT ADMINISTRATION FOR THE INTERMODAL CENTER

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to accept Federal Transit Administration Grant Agreement for the Intermodal Center, Federal share \$643,705, Local share \$160,927, total \$804,632 and authorize Mayor to sign agreement.. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy, Watts and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER MEMORANDUM OF UNDERSTANDING WITH PEARL RIVER VALLEY OPPORTUNITY, INC

Motion was made by Council Member Bounds, seconded by Council Member Watts, to accept the Memorandum of Understanding with Pearl River Valley Opportunity, Inc for FY2004 CSBG/LIHEAP Program and authorize Mayor to sign said agreement. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy Watts and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR THE MAYOR TO SIGN T-HANGER LEASE AGREEMENT

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize the Mayor and the City Clerk to sign T-Hanger Lease Agreement with John D. Torrance.

REGULAR MEETING DATED OCTOBER 7, 2003

STATE OF MISSISSIPPI

COUNTY OF PEARL RIVER

T-HANGAR LEASE AGREEMENT

This T-HANGAR LEASE AGREEMENT made and entered into this, the 7th day of October 2003, by and between the City of Picayune, hereinafter referred to as "Lessor" and John D. Torrance, hereinafter referred to as the "Lessee", WITNESSETH:

For and in consideration of the rents, covenants and agreements hereinafter-contained Lessor does hereby rent and lease unto Lessee the following:

1. PREMISES

Lessor does hereby lease and let to Lessee T-Hangar No. 14 located at the Picayune Municipal Airport, Picayune, Mississippi, together with reasonably necessary rights of access across Lessor's adjoining areas. Lessee has inspected the T-Hangar and accepts the T-Hangar in its present condition.

2. TERM

The term of this Agreement shall be month-to-month, with the term to begin on the 7th day of October 2003, and continue thereafter each month until either party gives notice of termination or default by Lessee. Either party may terminate this Agreement by giving thirty (30) days written notice to the other party of its intent to terminate this Agreement, regardless of breach or compliance of either party.

3. RENT

Lessee shall pay, as rent for the use of the described Hangar, the amount of \$180.00 per month, in advance on the first day of each month, and said rent shall be payable by mail to the Picayune Municipal Airport, 203 Goodyear Boulevard, Picayune, Mississippi 39466, or by personal delivery to the Picayune Municipal Airport office at 148 Runway Road, Picayune, Mississippi. Rent may be changed from time to time by lessor upon thirty- (30) days written notice to Lessee.

4. REPAIR AND MAINTENANCE

Lessor shall be responsible for timely repairs, replacements and maintenance of the building structure, foundation, exterior walls, and roof. Lessee shall be responsible and liable for any damage to the hangar caused by Lessee's use of the hangar, including but not limited to, bent or broken interior walls, damage to floors due to fuel and oil spillage, door damage due to the

REGULAR MEETING DATED OCTOBER 7, 2003

Lessee's improper or negligent operation. No alterations, modifications or additions to the hangar shall be made by Lessee without the prior written permission of Lessor.

5. USE OF PREMISES

The hangar hereby leased shall be used only for the storage of aircraft owned or leased by Lessee. No maintenance of the stored aircraft shall be conducted in the Hangar except such minor maintenance as would normally be performed by an aircraft owner without the benefit of an aircraft mechanic. Lessee further agrees that no commercial aviation activities shall be conducted at the Picayune Municipal Airport without the express written permission of the Lessor. Commercial Aviation activities include, but are not limited to aircraft rental, charter, aircraft leasing, flight instruction, aerial survey and aerial photography, etc. The storage of fuel or other flammable materials in the Hangar is strictly prohibited. The Lessee shall not engage in any illegal activity and shall abide by all Federal, State, and FAA regulations and the City of Picayune Airport Minimum Standards and Rules and Regulations.

6. INDEMNIFICATION

Lessee shall keep, protect and save harmless, Lessor from any loss, cost, claim, judgment or expense of any sort or nature, and from any liability to any person, on account of any injury, damage or death to any person, or property arising out of any use of the leased premises by Lessee, its agents, or any other party or person acting under the direction or control of Lessee.

7. INSPECTION

The Lessor may enter the leased Hangar at reasonable times to inspect the premises.

8. SECURITY

Lessee agrees to abide by and cooperate with Lessor in the enforcement and implementation of all airport security regulations. Security of the Hangar shall be the responsibility of Lessee. Lessee agrees to provide Lessor with a key to any lock or locking device used to secure the Hangar. Lessor agrees that the key will be used only in case of emergency or for inspection of the premises.

9. UTILITIES

At its own expense, Lessee shall be responsible for the connection of electric services for the Hangar. Lessee shall pay as the same becomes due directly to the electricity provider. Failure to pay for such utilities will be considered default under the terms of this lease. Lessee shall use light fixtures for its intended purpose only and shall not alter the existing electrical

REGULAR MEETING DATED OCTOBER 7, 2003

facilities. Lessee shall not operate any air conditioners, refrigerators, large heaters, or other similar appliances. Outlets, when available, may be used only for operation of drop lights, small hand tools, etc. No permitted electrical appliances or other electrical devices shall be connected into the outlet when the Lessee is not present.

Lessor will provide basic water and sewer services to the hangar.

10. HAZARDOUS SUBSTANCES

Lessee shall not cause or permit any Hazardous Substances to be brought upon, kept or used in, on or about the hangar by Lessee, its agents or invitees, and Lessee, by execution of this Lease, covenants, warrants and represents to Lessor that it will keep the lease premises free from any and all unlawful contamination with hazardous substances and that it will hold Lessor harmless from any loss or damage with respect thereto and that Lessee will be solely responsible for any and all costs and expenses incurred for remediation in the event the same is required. Violation of this provision shall mean immediate termination of this Lease, which said termination, shall not relieve the Lessee from its liability hereunder.

11. SUBLEASE/ASSIGNMENT

Lessee shall not have the right to sublet the T-Hangar leased under this agreement, nor shall the Lessee have the right to assign this Lease without the express written consent of the Lessor. Storage of aircraft not belonging to or leased by the Lessee shall be construed as a sublease, and unless approved by the Lessor, shall be grounds for termination of this Lease.

12. DEFAULT

In the event Lessee shall default in the payment of any installment of rent or other sum herein specified and such default shall continue for ten (10) days after written notice thereof, or if Lessee shall default in the observance or performance of any other of the Lessee's covenants, agreements, or obligations hereunder and such default shall not be corrected within thirty (30) days after written notice thereof, then the Lessor shall have the right to take complete possession of the leased premises, to declare the term of this Lease ended, and remove any of the Lessee's personal effects, without prejudice to any remedies which might be otherwise used for arrears of rent or other default.

13. FORCE MAJEURE

REGULAR MEETING DATED OCTOBER 7, 2003

In the event of a natural disaster or other unforeseen event including, but not limited to, flooding, major wind or storm damage or fire, Lessor may, at its option and with or without notice, terminate this Lease.

14. INSURANCE

Lessee agrees to be responsible for maintaining liability insurance in an amount not less than \$100,000.00 during the term of this Lease. Lessee shall deliver to Lessor an annual certificate demonstrating that insurance is paid and copies of the insurance policy issued by the insurance company. Lessor will be named as an insured and loss payee under the policy.

Lessee is solely responsible for maintaining insurance coverage on the contents of the T-Hangar.

15. SURRENDER OF PREMISES

Upon expiration of this Agreement for any reason, Lessee shall peacefully surrender and deliver possession of the leased premises to Lessor in as good condition and repair as at the inception of this Agreement, normal wear and tear excepted.

16. NOTICES

Should any notices be required to be given to the respective parties, the notice shall be given in writing by registered or certified mail at the following addresses or at such other addresses as may be substituted by subsequent notices to-wit:

As to Lessor: Airport Manager
Picayune Municipal Airport
203 Goodyear Boulevard
Picayune, MS 39466

As to Lessee: John D. Torrance
240 Evella Drive
Slidell, La 70458
Ph: (985) 641-3190

WITNESS the signatures of the parties hereto, this the 7th day of October, 2003

LESSOR: CITY OF PICAYUNE

BY: _____
Greg Mitchell, Mayor

ATTEST:

Lloyd Marshall, Jr., City Clerk

REGULAR MEETING DATED OCTOBER 7, 2003

LESSEE: _____

WITNESS: John D. Torrance

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy, Watts and Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO AMEND AGENDA

Motion was made by Council Member Roberson, seconded by Council Member Guy, to amend the Consent Agenda to include request from Picayune High School Band. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FROM PICAYUNE HIGH SCHOOL BAND

Motion was made by Council Member Roberson, seconded by Council Member Guy, to authorize members of the Picayune High School Band to hold Disney World Donation Drive at the intersection of Goodyear Blvd, Canal Street, Highway 11 South and Memorial Blvd, Highway 11 North and Highway 43 North on Saturday, October 18, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy, Watts and Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Bounds, seconded by Council Member Roberson to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy, Watts and Bounds

VOTING NAY: None

The motion was declared carried.

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to enter executive session to discuss the following:

1. potential purchase of property from Mark Gibson
2. Neel-Schaffer-Memorial Blvd.

REGULAR MEETING DATED OCTOBER 7, 2003

3. potential litigation with local hospital
4. contractual matter with Partners for Pearl River County
5. tax matter with Heritage Plastics
6. contractual matter for professional services
7. contractual matters with Picayune Housing Authority

The following roll call vote was taken.

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy, Watts and Bounds

VOTING NAY: None

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss: potential purchase of property from Mark Gibson, Neel-Schaffer-Memorial Blvd., potential litigation with local hospital, contractual matter with Partners for Pearl River County, tax matter with Heritage Plastics, contractual matter for professional services and contractual matters with Picayune Housing Authority

Council Member Watts exited meeting at this time.

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Guy, seconded by Council Member Roberson, and unanimously carried, the Mayor reopened the meeting.

The Mayor stated that in executive session and upon motion of Council Member Roberson, seconded by Council Member Bounds, and unanimously carried, the Council agreed to purchase land owned by Mark Gibson contingent upon the approval of Mississippi Department of Transportation giving approval to access Highway 43 North, the motion carried, Mayor Mitchell, Council Members Parker, Bounds, Roberson and Guy voting Yea. Voting Nay: None. Absent and not voting Council Member Watts.

No action was taken on potential litigation with the Neel-Schaffer-Memorial Blvd.

Upon motion of Council Member Bounds, seconded by Council Member Parker, and carried, the Council agreed to authorize the City Clerk to eliminate late charges due Crosby Memorial Hospital on utilities contingent upon Hospital keeping utility account current in the future. Mayor Mitchell, Council Members Parker, Bounds, Roberson and Guy voting Yea. Voting Nay: None. Absent and not voting Council Member Watts.

Upon motion of Council Member Guy, seconded by Council Member Parker, and carried, the Council agreed to authorize the Mayor to execute Memorandum of Understanding between The City of Picayune and Partners for Pearl River County. Mayor Mitchell, Council Members Parker, Bounds, and Guy voting Yea. Voting Nay: Council Member Roberson. Absent and not voting Council Member Watts.

Upon motion of Council Member Roberson, seconded by Council Member Guy and unanimously carried, the Council agreed to authorize the Mayor and the City Clerk to sign agreement with Heritage Plastics, Inc. for exemption from ad valorem taxes. Mayor Mitchell, Council Members Parker, Bounds, Roberson and Guy voting Yea. Voting Nay: None. Absent and not voting Council Member Watts.

Upon motion of Council Member Bounds, seconded by Council Member Parker and unanimously carried, the Council agreed to authorize the Mayor to execute Agreement between E.G. Woods and The City of Picayune to furnish Professional Liaison Services between The City of Picayune and Nasa's Stennis Space Center. Mayor Mitchell, Council Members Parker, Bounds, and Guy voting Yea. Voting Nay: Council Member Roberson. Absent and not voting Council Member Watts.

REGULAR MEETING DATED OCTOBER 7, 2003

No action was taken in the matter of contractual matters with the Picayune Housing Authority.

ORDER TO ADJOURN

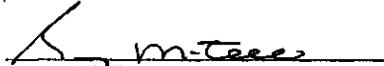
Motion was made by Council Member Guy, and seconded by Council Member Roberson, to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members, Parker, Guy, Roberson and Bounds

VOTING NAY: None

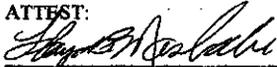
ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.



Greg Mitchell, Mayor

ATTEST:



Lloyd Marshall, Jr. City Clerk

October 14, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in a special called meeting at the Criminal Justice Center in said City, Tuesday, October 14, 2003, at 6:00 p.m. with the following officials present: Mayor Greg Mitchell, Council Members Leavern Guy, Sr., Lucian Roberson, Kathy Watts, Donald Parker, and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Lloyd Marshall, Jr.

The call for this special meeting was as follows:

**CALL FOR SPECIAL MEETING OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF PICAYUNE**

TO: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Kathy Watts, Leavern Guy, Sr. and Jerry Bounds

Notice is hereby given that a Special Meeting of the Mayor and City Council of the City of Picayune, Mississippi, is hereby called and will be held at the Criminal Justice Center, 328 South Main Street, at 6:00 p.m. on October, the 14th day. The purpose of the meeting is to meet with Allen & Hoshall for a Comprehensive Plan Workshop.

October 10, 2003
Date

/s/ J.P. Burns, Jr.
J.P. Burns, Jr.

**A POLICE OFFICER OF THE CITY OF PICAYUNE, MISSISSIPPI WILL EXECUTE
AND RETURN THE ABOVE NOTICE**

We, the undersigned Mayor and Council Members of the City of Picayune, Mississippi, hereby acknowledge service of the above call upon us personally.

/s/ Greg Mitchell
Greg Mitchell, Mayor

/s/ Lucian Roberson
Lucian Roberson

/s/ Donald Parker
Donald Parker

/s/ Kathy Watts
Kathy Watts

/s/ Leavern Guy
Leavern Guy

/s/ Jerry Bounds
Jerry Bounds

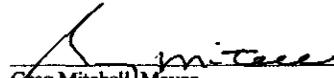
I have personally served notice upon the person of each of the above-signed Council Members.

October 13, 2003
Date

/s/ Capt. Ricky Frierson
Picayune Police Officer

DISCUSSION ON COMPREHENSIVE PLAN

A discussion of the Comprehensive Plan was discussed by Allan & Hoshall. No official action was taken


Greg Mitchell, Mayor

ATTEST 
Lloyd Marshall, Jr., City Clerk

October 28, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, October 28, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members, Leavern Guy, Sr., Kathy Watts, Donald Parker, Lucian Roberson, and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Lloyd Marshall, Police Major David Ervin and Fire Chief Keith Brown.

It being determined a quorum was present, the following proceedings were held.

Opening Prayer was given by City Clerk, Lloyd Marshall Jr., followed by the Pledge of Allegiance led by Kathy Watts.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Parker, to approve the minutes of the Mayor and City Council dated October 7, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY BUDGET REPORTS

Motion was made by Council Member Bounds, seconded by Council Member Parker, to acknowledge receipt of the Monthly Budget Reports for the month of September 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PUBLIC RECORD REQUESTS REPORT

Motion was made by Council Member Bounds, seconded by Council Member Parker, to acknowledge receipt of the Monthly Public Record Requests Report for the month of September 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Parker, to approve the issuance of the following manual checks:

Centerpoint Energy	Utility	\$ 22,815.00
Gulfsouth Pipeline Co	Utility	\$ 7,334.44
UMC	Utility	\$ 609.48
Janel Barber	General	381.81
Natasha Cousin	General	189.60
Great Southern Industries, Inc	General	\$30,000.00

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF PRIVILEGE LICENSE REPORTS

Motion was made by Council Member Bounds, seconded by Council Member Parker, to acknowledge receipt of the Privilege License Reports for the month of September 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO VOID 2003 TAX SALE

Motion was made by Council Member Bounds, seconded by Council Member Parker, to void 2003 tax sale on parcel 617-521-000-00-003-00 in the name of Leon Smith and refund S & S Properties the tax sale amount of \$149.13. The taxes were paid and should not have sold. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER ACCEPTANCE OF THE PLANNING COMMISSION MINUTES

Motion was made by Council Member Bounds, seconded by Council Parker, to accept the minutes of the Planning Commission dated September 9, and 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

SPECIAL MEETING, OCTOBER 28, 2003

CONSIDER ACKNOWLEDGING RECEIPT OF PLANNING COMMISSION MINUTES

Motion was made by Council Member Bounds, seconded by Council Member Parker, to acknowledge receipt of the Planning Commission minutes dated October 14, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO HOLD CHRISTMAS PARADE

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize street closure for Christmas Parade to be held December 1, 2003. The following roll call was taken.

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER SETTING PUBLIC HEARING DATE FOR PROPERTY CLEAN-UP 507 3RD STREET

Motion was made by Council Member Bounds, seconded by Council Member Parker, to set a public hearing date of November 18, 2003 for property clean up at 507 3rd Street, owner Nola D. Asher. The following roll call was taken.

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER SETTING PUBLIC HEARING DATE FOR PROPERTY CLEAN-UP AT 218 NORTH HAUGH AVENUE

Motion was made by Council Member Bounds, seconded by Council Member Parker, to set public hearing date of November 18, 2003 for property clean up at 218 North Haugh Avenue, owner Helen Joy Buras. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER SETTING PUBLIC HEARING DATE FOR PROPERTY CLEAN-UP 1804 ADCOX ROAD

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to set a public hearing date of November 18, 2003 for property clean up at 1804 Adcox Road, owner Peggy Jo Seal. The following roll call was taken.

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER SETTING PUBLIC HEARING DATE FOR PROPERTY CLEAN-UP 715 CURRAN AVENUE

Motion was made by Council Member Bounds, seconded by Council Member Parker, to set a public hearing date of November 18, 2003 for property clean up at 715 Curran Avenue, owner Nancy Jane Landis. The following roll call was taken.

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE MAYOR TO SIGN OUTCLAIM DEED

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize the Mayor to sign Quitclaim Deed for 2000 taxes, Parcel 617 516 001 03 040.00, in the name of Leroy Washington. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER ADOPTION OF DOMESTIC VIOLENCE AWARENESS MONTH

Motion was made by Council Member Parker, seconded by Council Member Bounds, to adopt Proclamation of "Domestic Violence Awareness Month". The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER ADOPTION OF RESOLUTION ENDORSING MISSISSIPPI OPTIONAL SALES TAX (MOST)

Motion was made by Council Member Guy, seconded by Council Member Bounds, to adopt Resolution of "Resolution Endorsing Mississippi Optional Sales Tax (MOST)". The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER ADOPTION OF NATIONAL HOSPICE MONTH

Motion was made by Council Member Guy, seconded by Council Member Parker, to adopt Proclamation of "National Hospice Month". The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER ADOPTION OF NATIONAL ENERGY AWARENESS MONTH

Motion was made by Council Member Guy, seconded by Council Member Bounds, to adopt Proclamation of "National Energy Awareness Month". The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

PHYSICAL INFRASTRUCTURE OF PEARL RIVER COUNTY

Gene Mier of the Physical Infrastructure Committee addressed the council on a unified, Comprehensive Building, Fire and Life Safety Regulatory Program. No official action was taken.

GEOGRAPHIC INFORMATION SYSTEM (GIS)

Harold Holmes, Director of the Pearl River County Planning and Development, addressed the council with an update on the development of the County wide Geographic Information (GIS). No official action was taken.

CONSIDER REQUEST FROM GERALD SEAL TO CONNECT TO CITY WATER

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to authorize Gerald Seal to connect to the City water supply for property located at 77 Sealcrest Drive with owner paying all cost for connection and material. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FROM GERALD WILLIAMS TO CONNECT TO CITY WATER

Motion was made by Council Member Parker, seconded by Council Member Roberson; to authorize Gerald Williams to connect to the City water supply for property located at 2283 Palestine Road with owner paying all cost for connection and material. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REAPPOINTMENT TO PLANNING COMMISSION

Motion was made by Council Member Roberson, seconded by Council Member Parker, to reappoint Nancy Durham to a three-year term on the Planning Commission Board. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REAPPOINTMENT TO PLANNING COMMISSION

Motion was made by Council Member Watts, seconded by Council Member Roberson, to postpone the decision reappoint Earl Bourgeois to a three-year term on the Planning Commission Board until the November 18, 2003 Council Meeting. The following roll call vote was taken:

VOTING YEA: Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: Mayor Mitchell

The motion was declared carried.

CONSIDER REQUEST FOR TOYS FOR TYKES RUN AND VETERANS MEMORIAL SERVICE

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize Toys for Tykes Run and Veterans Memorial Service to be held Saturday, December 13, 2003 in front of City Hall, with a street closure on Williams from Quince to Main Street and all of Rest Street with permission to fire the cannon and have the musket salute. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER BUDGET AMENDMENT #1 FOR YEAR ENDING 09/30/04

Motion was made by Council Member Guy, seconded by Council Member Watts, to approve request for Budget Amendment #1 for year ending September 30, 2004.

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

At this time Council Member Roberson exited meeting.

CONSIDER REQUEST FOR VARIANCE TO DIVIDE LOT

**CITY OF PICAYUNE
BUDGET AMENDMENT # 1 FY 2004
FOR CITY COUNCIL MEETING 10-21-03**

ACCOUNT	DESCRIPTION	DEBIT	CREDIT
GENERAL FUND:			
001-201-758.05	NORFOLK SO. ROADWAY CONSTRUCT DECREASE TO GEN FUND ENDING CASH	\$85,000	\$85,000
	ROLL OVER CONSTRUCTION EXPENSE NOT EXPENDED IN 2003 *NOTE- REVENUE WAS RECEIPTED IN 2003		
001-161-730	MACHINERY & EQUIP DECREASE ENDING GEN FD CASH	\$13,174	\$13,174
	INCREASE FOR MEMA EQUIP GRANT-RECEIPTED REV IN 2003		
AIRPORT:			
351-415-758.70	TAXIWAY ENGINEERING	\$12,400	
351-415-758.72	CONSTRUCTION	\$69,325	
351-415-700.05	ACQUISITION	\$68,000	
351-000-232.05	FEDERAL GRANT-TAXIWAY		\$147,893
351-000-253.10	MDOT-TAXIWAY INCREASE ENDING AIRPORT CASH	\$14,600	\$16,432
	ROLL OVER TAXIWAY REV & EXP	<u>\$164,325</u>	<u>\$164,325</u>
351-415-758.65	AWOS CONSTRUCTION	\$33,221	
351-000-232.03	FAA-AWOS GRANT		\$32,868
351-000-253.05	MDOT AWOS GRANT INCREASE AIRPORT ENDING CASH	\$10,497	\$10,850
	ROLL OVER AWOS REV & EXP	<u>\$43,718</u>	<u>\$43,718</u>
351-415-430	SALARIES DECREASE ENDING AIRPORT CASH	\$2,611	\$2,611
	COLA INCREASES-LEFT OFF ORIG BUDGET		

**CITY OF PICAYUNE
BUDGET
FOR THE YEAR ENDING 9/30/2004**

CEMETERY FUND - 406

**ORIGINAL BUDGET BUDGET
BUDGET AMEND #1**

RECEIPTS:

RECORDING FEES	100	100
SALE OF LOTS	25,000	25,000
INTEREST INCOME	5,000	5,000
UNIFORM REVENUE	100	100
MISCELLANEOUS INCOME	25	25
TRANSFERS IN - CITY	57,000	57,000
BEGINNING CASH & INVESTMENTS	<u>261,680</u>	<u>261,680</u>
TOTAL FROM ALL SOURCES	<u>348,905</u>	<u>348,905</u>

DISBURSEMENTS:

PERSONNEL SERVICES	107,700	107,700
SUPPLIES	14,200	14,200
OTHER SERVICES & CHARGES	5,920	5,920
CAPITAL OUTLAY	<u>27,000</u>	<u>27,000</u>
TOTAL	154,820	154,820
COLA	0	5,385
ENDING CASH & INVESTMENTS	<u>194,085</u>	<u>188,700</u>
TOTAL DISBURSEMENTS & ENDING BALANCE	<u>348,905</u>	<u>348,905</u>

**CITY OF PICAYUNE - GENERAL FUND
BUDGET
FOR THE YEAR ENDING 9/30/2004**

ORIGINAL BUDGET
BUDGET AMEND #1

RECEIPTS:

LICENSE & PERMITS	\$ 400,000	400,000
INTERGOVERNMENTAL REVENUES	3,532,887	3,532,887
CHARGES FOR SERVICES	607,000	607,000
FINES & FORFEITS	347,250	347,250
MISCELLANEOUS	19,000	19,000
TRANSFERS	395,750	395,750
INTEREST EARNINGS	30,000	30,000
PROCEEDS FROM LOANS	1,600,000	1,600,000
TOTAL FROM ALL SOURCES, OTHER THAN TAXES	<u>6,831,887</u>	<u>6,831,887</u>
AMOUNT TO BE RAISED BY AD VALOREM TAX	<u>1,552,000</u>	<u>1,552,000</u>
TOTAL REVENUES	8,383,887	8,383,887
BEGINNING CASH	2,258,278	2,258,278
	<u> </u>	<u> </u>
TOTAL FROM ALL SOURCES	<u>\$ 10,642,165</u>	<u>10,642,185</u>

EXPENDITURES:

GENERAL GOVERNMENT

PERSONNEL	\$ 8971,307	\$971,307
SUPPLIES	35,055	35,055
OTHER SERVICES & CHARGES	450,576	450,576
CAPITAL OUTLAY	71,500	71,500
TOTALS	<u>\$1,528,837</u>	<u>\$1,528,837</u>

PUBLIC SAFETY - POLICE

PERSONNEL	\$2,029,949	\$2,029,949
SUPPLIES	173,600	173,600
OTHER SERVICES & CHARGES	216,720	216,720
CAPITAL OUTLAY	153,827	153,827
TOTALS	<u>\$2,574,096</u>	<u>\$2,574,096</u>

PUBLIC SAFETY - FIRE

PERSONNEL	\$1,547,732	\$1,547,732
SUPPLIES	59,750	59,750
OTHER SERVICES & CHARGES	70,300	70,300
CAPITAL OUTLAY	581,000	594,174
TOTALS	<u>\$2,258,782</u>	<u>\$2,271,956</u>

PUBLIC WORKS

PERSONNEL	\$558,956	\$558,956
SUPPLIES	149,450	149,450
OTHER SERVICES & CHARGES	786,940	786,940
CAPITAL OUTLAY	1,262,586	1,347,596
TOTALS	<u>\$2,758,942</u>	<u>\$2,842,942</u>

CULTURE & RECREATION

PERSONNEL	\$0	\$0
SUPPLIES	3,500	3,500
OTHER SERVICES & CHARGES	25,000	25,000
CAPITAL OUTLAY	22,800	22,800
TOTALS	<u>\$51,300</u>	<u>\$51,300</u>

COST OF LIVING RAISES	288,764	288,764
AID TO OTHER GOVERNMENTS	40,550	40,550
TRANSFERS TO OTHER FUNDS	293,894	293,894
	<u>623,208</u>	<u>623,208</u>

TOTAL EXPENDITURES 9,792,165 9,890,339

ENDING CASH BALANCE 860,000 751,826

TOTAL EXPENDITURES & ENDING CASH BALANCE \$ 10,642,165 10,642,185

**CITY OF PICAYUNE - UTILITY FUND
PROPOSED BUDGET
FOR THE YEAR ENDING 9/30/2004**

FUND 405
2003-2004
ORIGINAL BUDGET
BUDGET AMEND #1

REVENUES:

INTERGOVERNMENTAL REVENUES		
CHARGES FOR UTILITY SERVICES	\$ 3,465,000	3,465,000
NON-REVENUE RECEIPTS	6,000	6,000
INTEREST EARNINGS	33,000	33,000
LOAN PROCEEDS	0	0
GRANT REVENUE	749,000	749,000
	<hr/>	<hr/>
TOTAL REVENUES	4,253,000	4,253,000
BEGINNING CASH	2,217,448	2,217,448
	<hr/>	<hr/>
TOTAL FROM ALL SOURCES	\$ 6,470,448	6,470,448

EXPENSES:

UTILITY ADMINISTRATION		
PERSONNEL	\$ 132,292	132,292
SUPPLIES	7,700	7,700
OTHER SERVICES & CHARGES	91,500	91,500
CAPITAL OUTLAY	43,000	43,000
	<hr/>	<hr/>
TOTALS	274,492	274,492
 TREATMENT PLANT & UTILITY CONSTRUCTION		
PERSONNEL	1,477,035	1,477,035
SUPPLIES	1,789,620	1,789,620
OTHER SERVICES & CHARGES	446,905	451,905
CAPITAL OUTLAY	1,605,050	1,660,050
	<hr/>	<hr/>
TOTALS	5,318,610	5,378,610
 COST OF LIVING RAISES	 80,000	 80,489
TRANSFERS OUT	390,000	390,000
DEBT PAYMENTS	139,843	139,843
	<hr/>	<hr/>
	589,843	610,332
	<hr/>	<hr/>
TOTAL EXPENSES	6,182,945	6,263,434
ENDING CASH BALANCE	287,503	207,014
	<hr/>	<hr/>
TOTAL EXPENSES & ENDING CASH BALANCE	\$ 6,470,448	6,470,448

CITY OF PICAYUNE
 BUDGET AMENDMENT # 1 FY 2004
 FOR CITY COUNCIL MEETING 10-21-03

PAGE 2

ACCOUNT	DESCRIPTION	DEBIT	CREDIT
UTILITY FUND:			
405-674-730.18	WATER WELL IMP-DEQ/MS LOAN CONST DECREASE ENDING UTIL OP CASH	\$55,000	\$55,000
	ROLL OVER CONSTRUCT EXP NOT EXPENDED IN 2003 *NOTE-LOAN REVENUE WAS RECEIPTED IN 2003		
405-673-600.01	PROFESSIONAL SERVICES DECREASE ENDING UTIL OP CASH	\$5,000	\$5,000
	INCREASE TO ACCOMMODATE TREATMENT PLANT WASTE WATER PERMIT RENEWED EVERY 5 YRS		
405-721-430	SALARIES DECREASE ENDING UTIL OP CASH	\$20,489	\$20,489
	COLA INCREASES-PREVIOUSLY SHOWN IN GENERAL FUND-DID NOT MOVE PREVIOUSLY ALONG WITH THE REST OF DEPT 201 EXPENSES		
CEMETERY FUND:			
406-205-430	SALARIES DECREASE ENDING CEMETERY OP CASH	\$5,385	\$5,385
	COLA INCREASE LEFT OFF ORIG BUDGET		

CITY OF PICAYUNE-AIRPORT FUND
 PROPOSED BUDGET AMENDMENT #1
 FOR THE YEAR ENDING 9/30/03

FUND 351

2003-2004

REVENUES:

	ORIGINAL BUDGET	BUDGET AMEND #1
FEDERAL GRANTS	0	180,761
STATE GRANTS	0	27,282
REVENUES	112,500	112,500
LOAN PROCEEDS	0	0
TRANSFERS IN	0	0
TOTAL REVENUE	112,500	320,543
BEGINNING CASH & INVESTMENTS	342,539	342,539
TOTAL FROM ALL SOURCES	455,039	663,082

EXPENSES:

PERSONNEL	52,212	52,212
SUPPLIES	62,760	62,760
OTHER SERVICES & CHARGES	42,300	42,300
CAPITAL OUTLAYS	0	182,946
TOTAL OPERATING EXPENSES	157,272	340,218
LOAN PAYMENTS-LOANED FROM GEN	0	0
LOAN PAYMENTS(TRANSF OUT)	105,266	105,266
COLA	0	2,611
ENDING CASH & INVESTMENTS	192,501	214,987
TOTAL DISBURSEMENTS & ENDING CASH BALANCE	455,039	663,082

SPECIAL MEETING, OCTOBER 28, 2003

Motion was made by Council Member Watts, seconded by Council Member Bounds, to approve request of Charles Roberson to divide one lot located on the corner of North Haugh Avenue and East 7th Street into three lots. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

At this time Council Member Roberson reentered Meeting.

CONSIDER REQUEST FOR 10' REAR YARD VARIANCE

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve request of Chris Jones for a 10' rear yard variance at property located at 706 Mill Street in order to build a duplex unit. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO APPROVE PLAT

Motion was made by Council Member Parker, seconded by Council Member Guy, to approve request of Tommy Travis to approve plat dividing one lot into two conforming lots located on the corner of East Canal Street and South Green Street. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO HOLD PUBLIC HEARING ON PROPERTY LOCATED AT LOT ON JERUSALEM STREET BEHIND HARDEES

Motion was made by Council Member Guy, seconded by Council Member Roberson, to postpone holding a public hearing on property clean up for lot on Jerusalem Street behind Hardees-owner Alexandeos Goodson until the November 18, 2003 Council Meeting. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO HOLD PUBLIC HEARING ON PROPERTY LOCATED AT 600 SOUTH HAUGH AVENUE

Motion was made by Council Member Guy, seconded by Council Member Roberson, to postpone holding a public hearing on property clean up for 600 South Haugh Avenue trailer park

owner Yvonne Simpson until the November 18, 2003 Council Meeting. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO VOID CONTRACT HARTMAN ENGINEERING, INC FOR WASTEWATER INFRASTRUCTURE IMPROVEMENTS BY EPA

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to void contract with Hartman Engineering, Inc. approved by the Council April 2, 2002 for engineering services for Wastewater Infrastructure Improvements funded by EPA since tasks and scope of service does not agree with the approved EPA funded work. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST CONTRACT WITH HARTMAN ENGINEERING, INC FOR PROFESSIONAL SERVICES WITH WATER AND WASTEWATER INFRASTRUCTURE IMPROVEMENTS

Motion was made by Council Member Parker, seconded by Council Member Roberson, to award contract to Hartman Engineering, Inc to prepare City Sewer Facility Plan and Flow Monitoring and authorize Mayor to sign said contract. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER CHANGE ORDER REQUEST #4 FOR WATERWELL REHABILITATION PROJECT

Motion was made by Council Member Roberson, seconded by Council Member Guy, to postpone the decision of change order #4 for Waterwell Rehabilitation Project for project close-out until the November 4, 2003 Council Meeting. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER WATERWELL REHABILITATION PROJECT CLOSE-OUT

Motion was made by Council Member Roberson, seconded by Council Member Guy, to postpone any decision to accept Waterwell Rehabilitation Project #DWI-H 280-065-01-0 funded by the DEQ and construction provided by Professional Construction Services, Inc as complete until the November 4, 2003 Council Meeting. The following roll call vote was taken:

SPECIAL MEETING, OCTOBER 28, 2003

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

At this time Council Member Watts exited meeting.

CONSIDER REQUEST TO DECLARE CONFISCATED WEAPONS SURPLUS

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to declare Confiscated Weapons surplus and authorize Police Department to retain weapons for use. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO DECLARE CONFISCATED WEAPONS SURPLUS

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to declare Confiscated Weapons surplus and authorize Purchasing Agent to solicit bids to sell weapons. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Roberson

VOTING NAY: None

ABSTAINED AND NOT VOTING: Council Member Guy

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

At this time Council Member Watts re-entered meeting.

CONSIDER REQUEST TO AMEND AGENDA

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to amend the agenda to include a request from Fire Chief Keith Brown and Bobby Strahan. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO TRANSFER RRT EQUIPMENT TO CITY OF PICAYUNE FIRE DEPARTMENT

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to authorize the Mayor, City Manager, and Fire Chief to sign Transfer of RRT Equipment from Pearl River County to the City of Picayune Fire Department. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

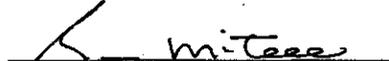
ORDER TO ADJOURN

Motion was made by Council Member Bounds and seconded by Council Member Roberson to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.



Greg Mitchell, Mayor

ATTEST:



Lloyd Marshall, Jr., City Clerk

November 4, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, November 4, 2003, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Leavern Guy, Sr., Kathy Watts, and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Lloyd Marshall, Jr., and Fire Chief Keith Brown.

It Being Determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance, led by: Council Member Roberson.

ORDER TO AMEND CONSENT AGENDA

Motion was made by Council Member Guy, seconded by Council Member Parker, to amend the Consent Agenda to remove Item A. Consider request to approve minutes of the Mayor and City Council dated October 28, 2003 and to consider Item A later in this meeting. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve the issuance of the following manual checks:

City of Picayune General Fund	Utility	NTE	\$52,000.00
MS State Tax Commission	Utility	NTE	\$ 6,000.00
Jim Luke	Gen		\$ 414.80
Partners For Pearl River County	ECO DEV		
	Sale of Lots		\$12,000.00

*Print
ERROR*

November 4, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, November 4, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Leavern Guy, Sr., Kathy Watts, and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Lloyd Marshall, Jr., and Fire Chief Keith Brown.

It Being Determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance, led by: Council Member Roberson.

ORDER TO AMEND CONSENT AGENDA

Motion was made by Council Member Guy, seconded by Council Member Parker, to amend the Consent Agenda to remove Item A. Consider request to approve minutes of the Mayor and City Council dated October 28, 2003 and to consider Item A later in this meeting. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve the issuance of the following manual checks:

City of Picayune General Fund	Utility	NTE	\$52,000.00
MS State Tax Commission	Utility	NTE	\$ 6,000.00
Jim Luke	Gen		\$ 414.80
Partners For Pearl River County	ECO DEV		
	Sale of Lots		\$12,000.00

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE DOCKET

Council Member Guy, seconded by Council Member Bounds made motion, to approve the docket for the month of October, 2003 in the amount of \$577,588.39. The following roll call vote was taken:

REGULAR MEETING DATED NOVEMBER 4, 2003

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Parker, to approve the minutes of the Mayor and City Council dated October 28, 2003 subject to the following changes:

CONSIDER CHANGE ORDER REQUEST #4 FOR WATERWELL REHABILITATION PROJECT

Motion was made by Council Member Roberson, seconded by Council Member Guy, to postpone the decision of change order #4 for Waterwell Rehabilitation Project for project close-out until the November 4, 2003 Council Meeting. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER WATERWELL REHABILITATION PROJECT CLOSE-OUT

Motion was made by Council Member Roberson, seconded by Council Member Guy, to postpone any decision to accept Waterwell Rehabilitation Project #DWI-H 280-065-01-0 funded by the DEQ and construction provided by Professional Construction Services, Inc as complete until the November 4, 2003 Council Meeting. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Watts, Guy and Bounds

VOTING NAY: None

The motion was declared carried.

ORDER TO AMEND PETITIONS AND COMMUNICATIONS

Motion was made by Council Member Bounds, seconded by Council Member Parker to allow Glade Woods and Proclamation remembering Former Police Chief Richard Martin to be added to the agenda. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, Watts, and Guy

VOTING NAY: None

The motion was declared carried.

REGULAR MEETING DATED NOVEMBER 4, 2003

At this time Glade Woods presented an update on his strategic planning work. No official action was taken.

At this time on behalf of The Sons of American Revolution, Mark Formby presented Maria Beverage with a Good Citizen Award. No official action was taken.

CONSIDER PROCLAMATION FOR "Bible Week"

Motion was made by Council Member Guy, seconded by Council Member Roberson to proclaim the week of November 23-30, 2003 be "Bible Week". The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, Watts, and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER PROCLAMATION FOR FORMER POLICE CHIEF RICHARD MARTIN

Motion was made by Council Member Roberson, seconded by Council Member Parker to proclaim the day of November 5, 2003 as a day of remembrance on behalf of the services rendered by Former Police Chief Richard Martin. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, Watts, and Guy

VOTING NAY: None

The motion was declared carried.

At this time Council Member Watts exited meeting.

CONSIDER REQUEST FOR EAGLE SCOUT PROJECT

Motion was made by Council Member Guy, seconded by Council Member Parker to allow Matthew J. Ladner, Troop 198, to make improvements to Read Park after working out specific details with Kristen Woods and all cost be paid by Ladner. following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

At this time Council Member Watts re-entered meeting.

CONSIDER REQUEST TO ADVERTISE FOR RESOURCES FOR THE CITY

Motion was made by Council Member Bounds, seconded by Council Member Parker to allow the City to advertise Resources for the City and match up to \$500.00 from monies collected by the Picayune Robotics Club on November 22, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Bounds, Watts and Guy

REGULAR MEETING DATED NOVEMBER 4, 2003

VOTING NAY: None

The motion was declared carried.

At this time Major David Ervin was presented an award by the DAR/SAR. Council Member Bounds asked how many police officers had left since he (Major Ervin) instituted his development program and there were none, per Major Ervin.

Council Member Bounds exited meeting at this time.

CONSIDER SELECTION OF CITY'S WATER TANK MAINTENANCE PROGRAM

Motion was made by Council Member Parker, seconded by Council Member Guy, to accept contract with Tank Pro, Inc. to perform City's Water Tank Maintenance Program for the Meadowgreen, City Barn, Stemwood and Walmart Towers and authorize the Mayor to sign said contract. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy, and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

CONSIDER REQUEST TO CONVEY TITLE TO GLEN BRADY

Motion was made by Council Member Parker, seconded by Council Member Guy, to declare the following vehicles surplus and authorize Mayor to sign titles to Glen Brady on the following vehicles in lieu of paying storage bill: One 1988 Chev Motor Home VIN# 70M56X241556, One 1986 Cadillac VIN# G6CD985GH4223007, and One 1984 Ford LTD VIN# 2FA. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy, and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

CONSIDER CHANGE ORDER REQUEST #4 FOR WATERWELL REHABILITATION PROJECT

Motion was made by Council Member Roberson, seconded by Council Member Guy, to approve change order #4 for Waterwell Rehabilitation Project for project close-out. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

CONSIDER WATERWELL REHABILITATION PROJECT CLOSE-OUT

Motion was made by Council Member Roberson, seconded by Council Member Guy, to accept Waterwell Rehabilitation Project #DWI-H 280-065-01-0 funded by the DEQ and construction provided by Professional Construction Services, Inc as complete. The following roll call vote was taken:

REGULAR MEETING DATED NOVEMBER 4, 2003

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

CONSIDER REQUEST FOR FIRE PREVENTION GRANT

Motion was made by Council Member Roberson, seconded by Council Member Guy, to authorize the Fire Chief to apply for a \$200,000.00 Fire Prevention Grant. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Parker, Guy, and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

ORDER TO ADJOURN

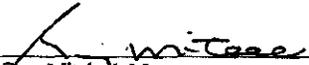
Motion was made by Council Member Parker, and seconded by Council Member Roberson, to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members, Parker, Guy, Roberson and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.



Greg Mitchell, Mayor

ATTEST:



Lloyd Marshall, Jr. City Clerk

November 18, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, November 18, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members, Leavern Guy, Sr., Kathy Watts, Donald Parker, Lucian Roberson, and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Lloyd Marshall, City Attorney Nathan Farmer, Police Major David Ervin and Fire Chief Keith Brown.

It being determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Wayne Wilson of First United Pentecostal Church, followed by the Pledge of Allegiance led by City Manager, J.P. Burns, Jr.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve the minutes of the Mayor and City Council dated November 4, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY BUDGET REPORTS

Motion was made by Council Member Guy, seconded by Council Member Parker, to acknowledge receipt of the Monthly Budget Reports for the month of October 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PUBLIC RECORD REQUESTS REPORT

Motion was made by Council Member Guy, seconded by Council Member Parker, to acknowledge receipt of the Monthly Public Record Requests Report for the month of October 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve the issuance of the following manual checks:

Centerpoint Energy	Utility	\$ 21,483.00
Gulfsouth Pipeline Co	Utility	\$ 7,969.73
UMC	Utility	\$ 652.68

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF PRIVILEGE LICENSE REPORTS

Motion was made by Council Member Guy, seconded by Council Member Parker, to acknowledge receipt of the Privilege License Reports for the month of October 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO VOID 2001, 2002 and 2003 TAX SALE

Motion was made by Council Member Guy, seconded by Council Member Parker, to void 2001, 2002 and 2003 tax sale on parcel 617-111-001-02-030-00 in the name of Richard Schook and refund the purchasers the tax sale amount of \$1,013.96. The taxes were paid and should not have sold. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER ACCEPTANCE OF THE PLANNING COMMISSION MINUTES

Motion was made by Council Member Guy, seconded by Council Parker, to accept the minutes of the Planning Commission dated October 14, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER ACKNOWLEDGING RECEIPT OF PLANNING COMMISSION MINUTES

REGULAR MEETING, NOVEMBER 18, 2003

Motion was made by Council Member Guy, seconded by Council Member Parker, to acknowledge receipt of the Planning Commission minutes dated November 11, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE MAYOR'S SIGNATURE ON QUITCLAIM DEED

Motion was made by Council Member Guy, seconded by Council Member Parker, to authorize Mayor's signature on Quitclaim Deed for 1981 taxes in the name of Kathleen Frierson for parcel #7647-00-0. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER SETTING PUBLIC HEARING DATE FOR PROPERTY CLEAN-UP 507 3RD STREET

Motion was made by Council Member Guy, seconded by Council Member Parker, to set a public hearing date of December 16, 2003 for property clean up at 507 3rd Street, owner Nola D. Asher. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER SETTING PUBLIC HEARING DATE FOR PROPERTY CLEAN-UP AT 113 WEST SYCAMORE ROAD

Motion was made by Council Member Guy, seconded by Council Member Parker, to set a public hearing date of December 16, 2003 for property clean up at 113 West Sycamore Road, owner James and Marie Adcox. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER SETTING PUBLIC HEARING DATE FOR PROPERTY CLEAN-UP 2117 SOUTH MEGEHEE

Motion was made by Council Member Guy, seconded by Council Member Parker, to set a public hearing date of December 16, 2003 for property clean up at 2117 South Megehee, owner Peggy Jo Seal. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER SETTING PUBLIC HEARING DATE FOR PROPERTY CLEAN-UP 1319 5th AVENUE

Motion was made by Council Member Guy, seconded by Council Member Parker, to set a public hearing date of December 16, 2003 for property clean up at 1319 5th Avenue, owner Chris McNeely. The following roll call was taken.

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER SETTING PUBLIC HEARING DATE FOR PROPERTY CLEAN-UP 614 WEEMS STREET

Motion was made by Council Member Guy, seconded by Council Member Parker, to set a public hearing date of December 16, 2003 for property clean up at 614 Weems Street, owner Essick Trask. The following roll call was taken.

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

PETITIONS AND COMMUNICATIONS

At this time Mr. Val Guilbeau addressed the Council concerning a water drainage problem on Fishhook Lane in front of his residence and a motion was made by Council Member Watts, and seconded by Council Member Bounds to take under advisement and report back to Mr. Guilbeau at a later date. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

PETITIONS AND COMMUNICATIONS

At this time Mr. Charles Hill of Neel-Schaffer, Inc. addressed the council with an update on the new construction of the Friendship Park Redevelopment. No official action was taken.

CONSIDER MOTION TO AMEND AGENDA

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to amend the agenda to include a Proclamation of "Family Caregivers Month". The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER ADOPTION OF PROCLAMATION OF FAMILY CAREGIVERS MONTH

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to adopt Proclamation of "Family Caregivers Month". The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO AMEND AGENDA

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to amend the agenda to include a request from "Tidal Rave Show Choir" to conduct a can shake on December 6, 2003 from 8:00 a.m. to 2:00 p.m. at various intersections. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR SHOW CHOIR TO HOLD CAN SHAKE

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to authorize "Tidal Rave Show Choir" to conduct a can shake on December 6, 2003 from 8:00 a.m. to 2:00 p.m. at various intersections. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER RE-APPOINTMENT OF EARL BOURGEOIS TO PLANNING COMMISSION

Motion was made by Council Member Watts, seconded by Council Member Roberson, to appoint Reggie Hanberry in place of Earl Bourgeois for a three-year term on the Planning Commission. After a brief discussion, it was realized Mr. Hanberry could not be appointed since he resides outside the Picayune City Limits. Therefore motion was withdrawn. No official action was taken.

CONSIDER RE-APPOINTMENT OF EARL BOURGEOIS TO PLANNING COMMISSION

Motion was made by Council Member Guy, seconded by Council Member Bounds, to re-appoint Earl Bourgeois to a three-year term on the Planning Commission. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker and Guy

VOTING NAY: Council Members Watts, Roberson and Bounds

The motion did not carry.

CONSIDER RE-APPOINTMENT OF EARL BOURGEOIS TO PLANNING COMMISSION

Motion was made by Council Member Watts, seconded by Council Member Roberson, to table the re-appointment of Earl Bourgeois to a three-year term on the Planning Commission. The following roll call vote was taken:

VOTING YEA: Council Members, Watts, Roberson, Parker and Bounds

VOTING NAY: Mayor Mitchell and Council Member Guy

The motion was declared carried.

CONSIDER AGREEMENT WITH COUNTY-WIDE BUILDING & REGULATORY PROGRAM

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to adopt a unified Comprehensive Building, Fire and Life Safety Regulatory Program with Pearl River County, and the City of Poplarville as per outline attached. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER NEW APPOINTMENT TO THE PLANNING COMMISSION

Motion was made by Council Member Bounds, seconded by Council Member Parker, to appoint Tony Smith for a three-year term on the Planning Commission. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER NEW APPOINTMENT TO THE HOUSING AUTHORITY COMMISSION

Motion was made by Council Member Guy, seconded by Council Member Parker, to appoint Bob Hatten for a five-year term on the Housing Authority Commission. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FROM WILLIE BABB TO CONNECT TO CITY WATER

Motion was made by Council Member Parker, seconded by Council Member Roberson, to authorize Willie Babb to connect to the City water supply for property located at 56 Stafford

Road with owner paying all cost for connection and material. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER BUDGET AMENDMENT #2 FOR YEAR ENDING 09/30/04

Motion was made by Council Member Guy, seconded by Council Member Bounds, to approve request for Budget Amendment #2 for year ending September 30, 2004.

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER ACCEPTANCE OF GROUP LIFE INSURANCE SCHEDULE FOR CITY EMPLOYEES

Motion was made by Council Member Parker, seconded by Council Member Guy, to approve Insurance schedule from Shenandoah Life Insurance Company effective January 1, 2004. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER ADOPTION OF GOVERNOR'S HOLIDAY SCHEDULE

Motion was made by Council Member Parker, seconded by Council Member Roberson, to adopt additional dates for the closing of City Offices from noon to five p.m. on December 24, 2003 and all of January 2, 2004 as per proclamation signed by the Governor on October 5, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER AUTHORIZATION TO ORDER NEW VEHICLES

Motion was made by Council Member Bounds, seconded by Council Member Guy, to authorize Purchasing Agent to order new vehicles as presented. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson

VOTING NAY: None

CITY OF PICAYUNE
 BUDGET AMEND #2
 FOR THE YEAR ENDING 9/30/2004

ECONOMIC DEVELOPMENT FUND - 110		ORIGINAL	N/C	BUDGET
REVENUES:		BUDGET	AMEND #1	AMEND #2
ECONOMIC DEVELOPMENT				
INTEREST INCOME		10,000	10,000	10,000
RENT		3,750	3,750	3,750
SALE OF LOTS		0	0	0
	SUBTOTAL	13,750	13,750	13,750
BEGINNING CASH		228,432	228,432	228,432
	TOTAL ECO DEV	242,182	242,182	242,182
TOURISM				
SALES TAX REVENUE		220,000	220,000	220,000
BEGINNING CASH		685,505	685,505	685,505
	TOTAL TOURISM	905,505	905,505	905,505
CDBG RAILSPUR				
CDBG RAILSPUR GRANT REVENUE		179,935	179,935	179,935
TRANSFER FROM GENERAL		15,421	15,421	15,421
INTEREST INCOME		0	0	0
	SUBTOTAL	195,356	195,356	195,356
BEGINNING CASH		0	0	0
	TOTAL CDBG RAILSPUR	195,356	195,356	195,356
TOTAL REVENUES		1,343,043	1,343,043	1,343,043

EXPENSES:		FY 2004	FY 2004	FY 2004
		PROPOSED	PROPOSED	PROPOSED
		BUDGET	BUDGET	BUDGET
ECONOMIC DEVELOPMENT				
SUPPLIES		0	0	0
OTHER SERVICES:				
PARTNERS FOR PEARL RIVER COUNTY \$125,000				
CONSULTING SER & EXP 45,000				
OTHER SER SUBTOTAL				
		170,000	170,000	170,000
CAPITAL OUTLAYS-LAND		0	0	0
	SUBTOTAL	170,000	170,000	170,000
ENDING CASH BALANCE		72,182	72,182	72,182
	TOTAL ECON DEV EXPENSE	242,182	242,182	242,182
TOURISM				
SUPPORT TO OTHER ORGAN		0	0	0
OTHER SERVICES		0	0	101,850
CAPITAL OUTLAYS		0	0	0
	SUBTOTAL	0	0	101,850
ENDING CASH BALANCE		905,505	905,505	603,655
	TOTAL TOURISM EXPENSE	905,505	905,505	905,505
CDBG RAILSPUR				
SUPPLIES		0	0	0
OTHER SERVICES		0	0	0
CAPITAL OUTLAYS		195,356	195,356	195,356
	SUBTOTAL	195,356	195,356	195,356
ENDING CASH BALANCE		0	0	0
	TOTAL CDBG RAILSPUR	195,356	195,356	195,356
TOTAL EXPENSES & ENDING CASH BALANCE		1,343,043	1,343,043	1,343,043

CITY OF PICAYUNE
BUDGET AMEND #2
FOR THE YEAR ENDING 9/30/2004

ECONOMIC DEVELOPMENT FUND - 110

REVENUES:

ECONOMIC DEVELOPMENT

	ORIGINAL BUDGET	N/C BUDGET AMEND #1	BUDGET AMEND #2
INTEREST INCOME	10,000	10,000	10,000
RENT	3,750	3,750	3,750
SALE OF LOTS	0	0	0
SUBTOTAL	13,750	13,750	13,750

BEGINNING CASH	228,432	228,432	228,432
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TOTAL ECO DEV	242,182	242,182	242,182
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TOURISM

SALES TAX REVENUE	220,000	220,000	220,000
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BEGINNING CASH	685,505	685,505	685,505
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TOTAL TOURISM	905,505	905,505	905,505
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CDBG RAILSPUR

CDBG RAILSPUR GRANT REVENUE	179,935	179,935	179,935
TRANSFER FROM GENERAL	15,421	15,421	15,421
INTEREST INCOME	0	0	0
SUBTOTAL	195,356	195,356	195,356

BEGINNING CASH	0	0	0
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TOTAL CDBG RAILSPUR	195,356	195,356	195,356
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TOTAL REVENUES

1,343,043	1,343,043	1,343,043
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EXPENSES:

ECONOMIC DEVELOPMENT

	FY 2004 PROPOSED BUDGET	FY 2004 PROPOSED BUDGET	FY 2004 PROPOSED BUDGET
SUPPLIES	0	0	0
OTHER SERVICES:			
PARTNERS FOR PEARL RIVER COUNTY \$125,000			
CONSULTING SER & EXP 45,000			
OTHER SER SUBTOTAL	170,000	170,000	170,000
CAPITAL OUTLAYS-LAND	0	0	0
SUBTOTAL	170,000	170,000	170,000

ENDING CASH BALANCE	72,182	72,182	72,182
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TOTAL ECON DEV EXPENSE	242,182	242,182	242,182
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TOURISM

SUPPORT TO OTHER ORGAN	0	0	0
OTHER SERVICES	0	0	101,850
CAPITAL OUTLAYS	0	0	0
SUBTOTAL	0	0	101,850

ENDING CASH BALANCE	905,505	905,505	903,855
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TOTAL TOURISM EXPENSE	905,505	905,505	905,505
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CDBG RAILSPUR

SUPPLIES	0	0	0
OTHER SERVICES	0	0	0
CAPITAL OUTLAYS	195,356	195,356	195,356
SUBTOTAL	195,356	195,356	195,356

ENDING CASH BALANCE	0	0	0
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TOTAL CDBG RAILSPUR	195,356	195,356	195,356
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**TOTAL EXPENSES & ENDING
CASH BALANCE**

1,343,043	1,343,043	1,343,043
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CITY OF PICAYUNE
 BUDGET AMEND #2
 FOR THE YEAR ENDING 9/30/2004

TOBACCO GRANT FUND - 109

ORIGINAL BUDGET BUDGET
 BUDGET AMEND #1 AMEND #2

RECEIPTS:

GRANT REVENUE	0	0	0.00
INTEREST INCOME	0	0	0.00
BEGINNING CASH & INVESTMENTS	0	0	4,581.67
TOTAL FROM ALL SOURCES	0	0	4,581.67

DISBURSEMENTS:

OTHER SERVICES	0	0	222.67
CAPITAL	0	0	4,359.00
ENDING CASH & INVESTMENTS	0	0	0.00
TOTAL DISBURSEMENTS & ENDING BALANCE	0	0	4,581.67

CITY OF PICAYUNE - GENERAL FUND
BUDGET AMEND #2
FOR THE YEAR ENDING 9/30/2004

	ORIGINAL BUDGET	BUDGET AMEND #1	BUDGET AMEND #2
RECEIPTS:			
LICENSE & PERMITS	\$ 400,000	400,000	400,000
INTERGOVERNMENTAL REVENUES	3,532,887	3,532,887	3,692,736
CHARGES FOR SERVICES	607,000	607,000	607,000
FINES & FORFEITS	341,250	341,250	347,250
MISCELLANEOUS	19,000	19,000	19,000
TRANSFERS	395,750	395,750	395,750
INTEREST EARNINGS	30,000	30,000	30,000
PROCEEDS FROM LOANS	1,500,000	1,800,000	1,600,000
TOTAL FROM ALL SOURCES, OTHER THAN TAXES	8,831,887	8,831,887	8,991,736
AMOUNT TO BE RAISED BY AD VALOREM TAX	1,552,000	1,552,000	1,552,000
TOTAL REVENUES	8,380,887	8,380,887	8,643,736
BEGINNING CASH	2,258,276	2,258,276	2,258,276
TOTAL FROM ALL SOURCES	\$ 10,642,166	10,642,166	10,602,014
EXPENDITURES:			
GENERAL GOVERNMENT			
PERSONNEL	\$ 897,307	\$971,307	\$971,307
SUPPLIES	35,055	35,056	35,055
OTHER SERVICES & CHARGES	450,575	450,575	450,575
CAPITAL OUTLAY	71,900	71,900	71,900
TOTALS	\$1,528,837	\$1,528,837	\$1,528,837
PUBLIC SAFETY - POLICE			
PERSONNEL	\$2,029,949	\$2,029,949	\$2,029,949
SUPPLIES	173,600	173,600	173,600
OTHER SERVICES & CHARGES	216,720	216,720	216,720
CAPITAL OUTLAY	153,827	153,827	153,827
TOTALS	\$2,574,096	\$2,574,096	\$2,574,096
PUBLIC SAFETY - FIRE			
PERSONNEL	\$1,547,732	\$1,547,732	\$1,547,732
SUPPLIES	69,750	69,750	69,750
OTHER SERVICES & CHARGES	70,300	70,300	70,300
CAPITAL OUTLAY	561,000	564,174	564,174
TOTALS	\$2,258,782	\$2,271,956	\$2,271,696
PUBLIC WORKS			
PERSONNEL	\$556,956	\$556,956	\$556,956
SUPPLIES	149,450	149,450	149,450
OTHER SERVICES & CHARGES	786,940	786,940	786,940
CAPITAL OUTLAY	1,262,596	1,347,596	1,846,448
TOTALS	\$2,755,942	\$2,840,942	\$3,342,794
CULTURE & RECREATION			
PERSONNEL	\$0	\$0	\$0
SUPPLIES	3,500	3,500	3,500
OTHER SERVICES & CHARGES	25,000	26,000	25,000
CAPITAL OUTLAY	22,800	22,800	85,600
TOTALS	\$51,300	\$51,300	\$14,100
COST OF LIVING RAISES			
AID TO OTHER GOVERNMENTS	288,794	288,794	288,794
TRANSFERS TO OTHER FUNDS	40,850	40,850	40,850
	293,994	293,994	293,994
	623,208	623,208	623,208
TOTAL EXPENDITURES	9,792,165	9,890,339	10,425,191
ENDING CASH BALANCE	850,000	751,826	376,823
TOTAL EXPENDITURES & ENDING CASH BALANCE	\$ 10,642,165	10,642,165	10,802,014

CITY OF PICAYUNE
BUDGET AMEND #2
FOR THE YEAR ENDING 9/30/2004

FED LAW ENF BLK GRANT VI FUND - 104

RECEIPTS:

	ORIGINAL BUDGET	BUDGET AMEND #1	BUDGET AMEND #2
GRANT REVENUE	0	0	0.00
INTEREST INCOME	0	0	0.00
BEGINNING CASH & INVESTMENTS	0	0	703.54
TOTAL FROM ALL SOURCES	0	0	703.54

DISBURSEMENTS:

OTHER SERVICES	0	0	0.00
CAPITAL	0	0	703.54
ENDING CASH & INVESTMENTS	0	0	0.00
TOTAL DISBURSEMENTS & ENDING BALANCE	0.00	0.00	703.54

CITY OF PICAYUNE
 BUDGET AMENDMENT # 2 FY 2004
 FOR CITY COUNCIL MEETING 11-18-03

ACCOUNT	DESCRIPTION	DEBIT	CREDIT
GENERAL FUND:			
001-201-756	TRANSP IMPROV-MEM BLVD PHASE 1	\$245,427	
001-000-233	TRANSP IMPROV REVENUE		\$158,849
	DECREASE ENDING GEN FUND CASH		\$85,578
		<u>\$245,427</u>	<u>\$245,427</u>
	RE-BUDGET UNEXPENDED/UNRECEIVED FROM FY 2003		
001-201-752	DRAIN/STREET MAINT	\$246,425	
	DECREASE ENDING GEN FUND CASH		\$246,425
	RE-BUDGET UNEXPENDED FROM FY 2003		
001-201-752.05	NORFOLK SO ROADWAY DRAINAGE	\$10,000	
	DECREASE ENDING GEN FUND CASH		\$10,000
	RE-BUDGET UNEXPENDED FROM FY 2003		
001-300-720	LIGHTING AT SNYDER FIELD	\$33,000	
	DECREASE ENDING GEN FUND CASH		\$33,000
	RE-BUDGET UNEXPENDED FROM FY 2003		
001-001-700	LAND	\$30,000	
	DECREASE ENDING GEN FUND CASH		\$30,000
	BUDGET FOR PURCHASE OF PROPERTY FROM GREAT SOUTHERN IND		
FED LAW ENF BLK GRANT VI			
104-100-730	MACH & EQUIP	\$703.54	
	DECREASE ENDING CASH FED LAW ENF BLK		\$703.54
	RE-BUDGET UNEXPENDED FROM FY 2003		
TOBACCO GRANT			
109-154-650	EXHIBITS & PROMOTIONS	\$222.67	
109-154-730	MACH & EQUIP	\$4,359.00	
	DECREASE ENDING CASH TOBACCO GRANT		\$4,581.67
		<u>\$4,581.67</u>	<u>\$4,581.67</u>
	RE-BUDGET UNEXPENDED FROM FY 2003		
ECD DEV-TOURISM			
110-402-600.01	PROFESSIONAL SERVICES	\$101,850	
	DECREASE ENDING TOURISM CASH		\$101,850
	BUDGET FOR PRELIMINARY ENGINEERING FEES AT FRIENDSHIP PARK		



October 19, 2003

Bettye King
City Of Picayune
203 Goodyear Blvd.
Picayune MS 39466

RE: January 1, 2004 renewal of group policy #85-16799

Dear Policyholder:

We appreciate the opportunity to serve your insurance needs, and we look forward to continuing to do so for many years to come. The cost of your plan has been recently reviewed. The following figures illustrate changes in current versus renewal monthly rates per unit that will become effective January 1, 2004:

<u>Coverage</u>	<u>Current</u>	<u>Renewal</u>	
Employee Group Life	0.28	0.34	per \$1,000 insurance
Employee Group AD&D	0.05	0.05	per \$1,000 insurance
Dependent Group Life	1.25	1.25	per insured employee

The rates above are guaranteed for one policy period. The next renewal date will be January 1, 2005.

The renewal rates are based upon the current distribution of insurance by age and gender, and, if your coverage includes dental insurance, a trend factor representing expected increases in dental costs and usage over the next policy period.

In addition, this renewal is contingent upon premium payment according to the terms stipulated in the policy.

Thank you for your continued business with Shenandoah Life Insurance. We value your confidence in us to provide this important insurance protection for your employees. Please contact us with any questions or concerns you have, or with any suggestions on how we may improve our products and services to better meet your needs.

Sincerely yours,

Karen Beamer

Karen Beamer
Group Underwriting Analyst

cc: Glen D Adcox
Adcox Ins Agency
PO Box 15248
Hattiesburg MS 39403

THIS TEMPORARY RIGHT OF ENTRY, made this 18th day of November, 2003, by and between **THE ALABAMA GREAT SOUTHERN RAILROAD COMPANY**, ("Licensor") and **THE CITY OF PICAYUNE**, Mississippi ("Licensee").

Licensor hereby permits Licensee to enter upon property owned or controlled by Licensor located in Picayune, Pearl River County, Mississippi, and being located substantially as shown upon print marked Exhibit "A", dated September 10, 2003, attached hereto and made a part hereof.

This Right of Entry is granted upon the following terms and conditions:

1. The Right of Entry is granted only for the purpose of Licensee conducting surveying activities and clearing vegetation.

2. Licensor's Superintendent at Birmingham, Alabama, shall be given at least forty-eight (48) hours advance notice before entry upon the property. The Superintendent is Mr. Scott Murry, whose telephone number is (205) 951-4736.

3. All reasonable care shall be exercised and such precautions taken as said Superintendent, or his authorized representative, may deem necessary to protect Licensor's facilities and operations.

4. Licensee hereby agrees to indemnify and save harmless Licensor from and against any and all liability, losses, damages, claims, actions, causes of action, costs and expenses (including attorneys' fees) for personal injury (including death) and/or property damage to whomsoever or whatsoever occurring, arising from or growing out of, directly or indirectly, the presence of Licensee, its agents, servants or employees upon or about the property of Licensor or in connection with the privileges herein granted. Licensee shall insure the aforesaid indemnity provision in a manner and in an amount satisfactory to Licensor.

5.(a) During the period of time where Licensee exercises the right of entry herein granted, Licensee shall insure the obligations assumed in Article 4 in a manner and with a company satisfactory to Licensor and with a combined single limit (bodily injury, death or property damage) of not less than \$500,000.00.

(b) If an outside contractor is to perform the work provided for herein, then Licensee, shall require said contractor to furnish Licensor with a Railroad Protective Liability Insurance Policy naming Licensor as the named insured and issued to the contractor, with a combined single limit of \$2,000,000 for all damages arising out of bodily injury, death, property damage liability and physical damage to property liability per occurrence with an aggregate limit of \$6,000,000.

(c) Evidence of such insurance (Certificate of Insurance for the General Liability insurance policy showing Licensor as an additional insured and the original policy of Railroad

Protective Liability Insurance) must be furnished to and approved by the Risk Manager, Norfolk Southern Corporation, Three Commercial Place, Norfolk, Virginia 23510-2191, prior to occupancy of the Licensor's property or commencement of construction on Licensor's premises.

6. At the termination of this Right of Entry, Licensor's property shall be restored by Licensee to its original condition, or to a condition satisfactory to the Chief Engineer of Licensor, or his authorized representative.

7. No drainage conditions shall be created or allowed to exist which would be adverse to Licensor's property.

8. A minimum clearance of thirty-

five feet (35') from the centerline of the nearest track shall be maintained at all times for any material, equipment or vehicles of Licensee occupying Licensor's property unless authorized in writing by Licensor or Licensor's Superintendent.

9. The license and permission hereby granted is for the sole benefit of Licensee, and Licensor is to receive no benefit therefrom nor any consideration therefor except the covenants, promises and agreements set forth in this Right of Entry.

10. No explosives of any kind shall be used on Licensor's property.

11. No debris will be buried in or burned upon Licensor's property.

12. This Right of Entry (a) shall not be assigned or transferred by Licensee, (b) may be terminated at will by Licensor or Licensee, and (c) shall terminate automatically one hundred twenty (120) days from the date of this agreement; however, that termination shall not relieve Licensee of any obligation or liability incurred prior to such termination.

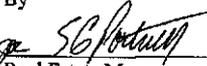
13. Where appropriate, the terms when used in this Right of Entry shall be understood to indicate the masculine, feminine or neuter, and the singular or plural, as the case may be. The word "Licensor" as used herein shall include any other company or companies whose property at the aforesaid location may be leased or operated by Licensor. Said term also shall include any parent company or companies, subsidiary or subsidiaries of Licensor, and the servants, agents or employees of Licensor, and also shall include servants, agents or employees of said parent company or companies or subsidiaries of Licensor, and also shall include tenants, lessees or licensees of Licensor, other than the Licensee herein.

IN WITNESS WHEREOF, the parties hereto have executed this Right of Entry in duplicate as of the date first hereinabove written.

Witness:

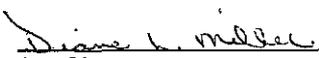
THE ALABAMA GREAT SOUTHERN RAILROAD COMPANY

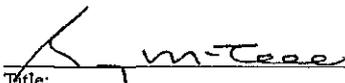

As to Licensor

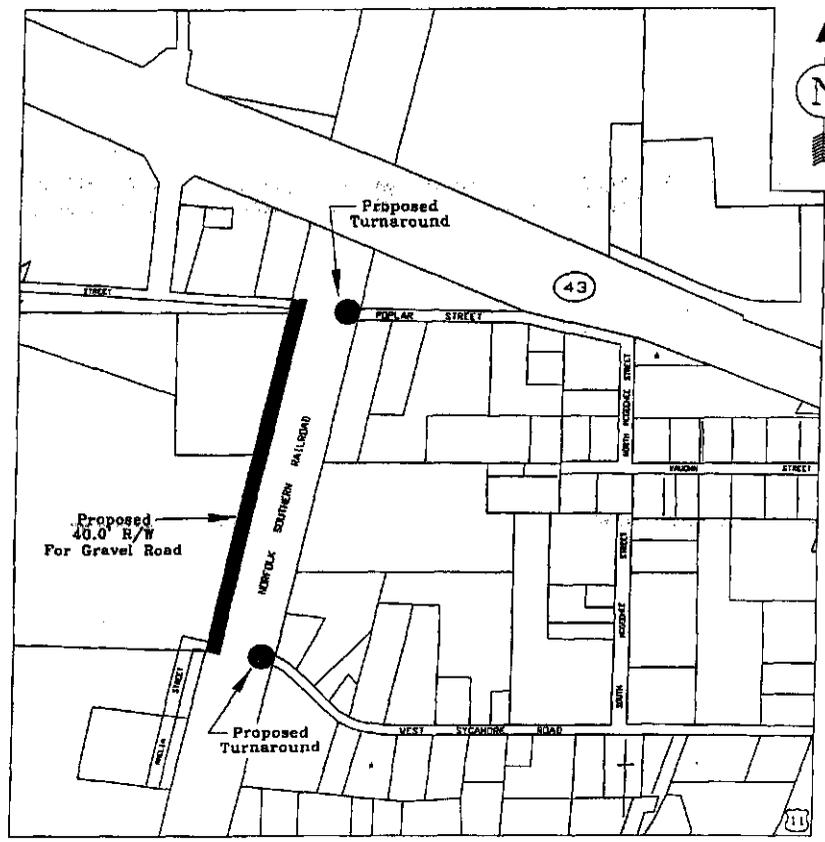
By 
Real Estate Manager

Witness:

CITY OF PICAYUNE, Mississippi


As to Licensee

By 
Title:



CITY OF
PICAYUNE
PARTIAL MAP

FOR PLANNING PURPOSES ONLY

NORFOLK SOUTHERN CROSSING CLOSURE	
DATE: February 2003	DRAWN BY: R. Oliver

The motion was declared carried.

CONSIDER REQUEST TO AMEND AGENDA

Motion was made by Council Member Bounds, seconded by Council Member Guy, to amend agenda to include a request to authorize Purchasing Agent to order a new vehicle for Streets and Drainage as presented. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER AUTHORIZATION TO ORDER A NEW VEHICLE FOR STREETS & DRAINAGE

Motion was made by Council Member Bounds, seconded by Council Member Guy, to authorize Purchasing Agent to order a new vehicle for Streets and Drainage as presented. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER AUTHORIZATION TO EXECUTE CONTRACT WITH ALABAMA GREAT SOUTHERN RAILROAD COMPANY

Motion was made by Council Member Bounds, seconded by Council Member Guy, to authorize Mayor to execute contract to allow City Labor forces to work on Alabama Great Southern Railroad Company property for the purpose of temporary Right of Entry to remove small trees and shrubbery relating to the Railroad Crossovers Closures project. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO USE TRAVEL TRAILER FOR OFFICE

Motion was made by Council Member Roberson, seconded by Council Member Guy, to approve request of Mr. Gilbert O'Flynn for the use of a portable building instead of a travel trailer for office to sell Christmas trees on lot next to Rite Aid on Memorial Blvd and remove building and clean lot day after Christmas. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO APPROVE DEVELOPMENT PLAN

Motion was made by Council Member Guy, seconded by Council Member Bounds, to approve Development Plan requested by Buddy Smith and Bob Larson Subdivision, Phase I located at East end of Mitchell Street. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER LOT SUBDIVISION PLAT

Motion was made by Council Member Roberson, seconded by Council Member Watts, to approve subdivision plat for Mr. Joe Trombatore for the division of one lot into two confirming lots. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

At this time Council Member Bounds exited meeting.

CONSIDER REQUEST TO HOLD PUBLIC HEARING ON PROPERTY LOCATED ON LOT BEHIND HARDEES

A public hearing on property cleanup was held for property located on lot behind Hardees at East Jerusalem Street and owned by Alexandoos Goodson. It has been reported that the cleanup has been done and that the condition of the property no longer constitutes a menace to the public health and safety of the area. No official action was taken.

CONSIDER REQUEST TO HOLD PUBLIC HEARING ON PROPERTY LOCATED AT 600 SOUTH HAUGH AVENUE

A public hearing on property was held for property located at 600 South Haugh Avenue and owned by Yvonne Simpson. It has been reported that the cleanup had not been done and that the condition of the property constitutes a menace to the public health and safety of the area. Motion was made by Council Member Guy, seconded by Council Member Roberson, to authorize the City to have the property cleaned and the cost charged against the property. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

At this time Council Member Bounds re-entered meeting.

CONSIDER REQUEST TO HOLD PUBLIC HEARING ON PROPERTY LOCATED AT 715 CURRAN AVENUE

A public hearing on property was held for property located at 715 Curran Avenue and owned by Nancy Jane Landis. It has been reported that the cleanup had not been done and that the condition of the property constitutes a menace to the public health and safety of the area. Motion was made by Council Member Roberson, seconded by Council Member Watts, to

REGULAR MEETING, NOVEMBER 18, 2003

authorize the City to have the property cleaned and the cost charged against the property. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Bounds, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO HOLD PUBLIC HEARING ON PROPERTY LOCATED AT 206 WEST SYCAMORE

A public hearing on property was held for property located at 206 West Sycamore and owned by Gladys Ammons (sold to Carla Mitchell). It has been reported that the cleanup had not been done and that the condition of the property constitutes a menace to the public health and safety of the area. Motion was made by Council Member Guy, seconded by Council Member Roberson, to authorize the City to have the property cleaned and the cost charged against the property. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Bounds, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO HOLD PUBLIC HEARING ON PROPERTY LOCATED AT 1894 ADCOX ROAD

A public hearing on property was held for property located at 1894 Adcox Road and owned by Clayton Harris. Although it has been reported that the cleanup had not been done and that the condition of the property constitutes a menace to the public health and safety of the area. Motion was made by Council Member Guy, seconded by Council Member Bounds; to authorize owner to have an additional 45 days to clean up said property. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Bounds, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO HOLD PUBLIC HEARING ON PROPERTY LOCATED AT 218 HAUGH AVENUE

A public hearing on property was held for property located at 218 Haugh Avenue and owned by Helen Joy Buras. It has been reported that the cleanup had not been done and that the condition of the property constitutes a menace to the public health and safety of the area. Motion was made by Council Member Roberson, seconded by Council Member Watts, to authorize the City to have the property cleaned and the cost charged against the property. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Bounds, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO HOLD PUBLIC HEARING ON PROPERTY LOCATED AT 800 LAIRD STREET

A public hearing on property was held for property located at 800 Laird Street and owned by Curtis Olive. It has been reported that the cleanup has been done and that the condition of the property no longer constitutes a menace to the public health and safety of the area. No official action was taken.

CONSIDER REQUEST TO ADVERTISE NOTICE OF BID FOR CONSTRUCTION OF SEWER IMPROVEMENTS FUNDED BY CORP OF ENGINEERS

Motion was made by Council Member Guy, seconded by Council Member Bounds, to authorize Community Development to advertise for Construction of Sewer improvements funded by Corp of Engineers. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO AMEND AGENDA

Motion was made by Council Member Roberson, seconded by Council Member Guy, to amend agenda to include a request from the Picayune Fire Department to authorize Mayor to sign and send letters for Fire Prevention Grant. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE MAYOR TO SIGN AND SEND LETTERS FOR 2003 ASSISTANCE TO FIREFIGHTERS FIRE PREVENTION AND SAFETY GRANT

Motion was made by Council Member Roberson, seconded by Council Member Guy, to authorize the Mayor to sign and send letter to Senator Thad Cochran, Senator Trent Lott and Congressman Gene Taylor requesting any assistance for the 2003 Assistance to Firefighters Fire Prevention and Safety Grant. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson

VOTING NAY: None

The motion was declared carried.

ORDER TO ADJOURN

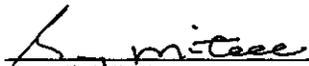
Motion was made by Council Member Guy and seconded by Council Member Roberson to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

REGULAR MEETING, NOVEMBER 18, 2003

The motion was declared carried.



Greg Mitchell, Mayor

ATTEST:


Lloyd Marshall, Jr., City Clerk

December 2, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, December 2, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members, Donald Parker, Leavern Guy, Sr., Kathy Watts, and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Lloyd Marshall, Jr., and Fire Chief Keith Brown, Police Chief Jim Luke and City Attorney Nathan Farmer.

It Being Determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Rev. Borzell Langham of Pleasant Valley Baptist Church, followed by the Pledge of Allegiance, led by: Council Member Guy.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve the minutes of the Mayor and City Council dated November 18, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve the issuance of the following manual checks:

City of Picayune General Fund	Utility	NTE	\$52,000.00
MS State Tax Commission	Utility	NTE	\$ 6,000.00
US Post Office	General	NTE	\$ 2,500.00
Municipal Clerks Assoc	General		\$ 60.00
Johnny L. Ingram	General		\$ 300.00

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER REQUEST TO SET PUBLIC HEARING ON PROPERTY LOCATED ON LOT NEXT TO 415 WEEMS

REGULAR MEETING DATED DECEMBER 2, 2003

Motion was made by Council Member Guy, seconded by Council Member Parker, to set a public hearing date of January 6, 2004 for property clean up at lot next to 415 Weems Street-Owner Olivia S. Stewart. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER REQUEST TO SET PUBLIC HEARING ON PROPERTY LOCATED ON LOT NEXT TO 415 WEEMS

Motion was made by Council Member Guy, seconded by Council Member Parker, to set a public hearing date of January 6, 2004 for property clean up at lot next to 415 Weems Street-Owner Catherine Randolph. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

ORDER TO APPROVE DOCKET

Council Member Bounds, seconded by Council Member Guy made motion, to approve the docket for the month of November, 2003 in the amount of \$567,688.21. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy and Bounds

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Member Watts

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER REQUEST FROM NATIONAL MS SOCIETY

Motion was made by Council Member Bounds, seconded by Council Member Watts, to approve the request of the National MS Society to hold a fundraising walk on April 17, 2004. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

PETITIONS AND COMMUNICATIONS

At this time Police Chief Jim Luke made a presentation to the Mayor and Council on the Drug Arrest that were made within the City earlier in the day and announced that the details

REGULAR MEETING DATED DECEMBER 2, 2003

would be on the local radio and area TV Stations. He also re-iterated that "It was not over yet". No official action was taken.

CONSIDER RE-APPOINTMENT OF EARL BOURGEOIS TO PLANNING COMMISSION

Motion was made by Council Member Watts, seconded by Council Member Bounds, to appoint Terrell Jopes, in place of Earl Bourgeois, to a three-year term on the Planning Commission. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER REQUEST FROM MARK GIBSON TO CONNECT TO CITY SEWER SERVICES FOR PROPERTY LOCATED AT WILLIAMSBURG ROAD

Motion was made by Council Member Parker, seconded by Council Member Guy, to approve the request from developer Mark Gibson for a sanitary sewer force main connection to an existing City Gravity sewer main along Williamsburg Road. following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER REQUEST TO DECLARE CONTAMINATED FUEL SURPLUS AND AUTHORIZE SALE

Motion was made by Council Member Parker, seconded by Council Member Guy, to declare contaminated fuel known as "Avgas 100LL" surplus and authorize sale of said fuel to Lisenbea Enterprises with the Mayor and City Clerk being authorized to sign Bill of Sale and Agreement. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER REQUEST TO CONNECT TO CITY WATER SERVICES FOR PROPERTY LOCATED AT 10 VARNADO LANE

Motion was made by Council Member Parker, seconded by Council Member Bounds, to allow Harvey Ray Varnado to connect to City Water Supply for property located at 10 Varnado Lane with owner paying all costs for connection and material. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Bounds and Watts

VOTING NAY: None

REGULAR MEETING DATED DECEMBER 2, 2003

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER ACCEPTANCE OF GROUP DENTAL INSURANCE SCHEDULE

Motion was made by Council Member Guy, seconded by Council Member Bounds, to accept new Dental Insurance Rates from Guardian Insurance effective January 1, 2004. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER OFFER FROM CARLE COOPER ON PROPOSED SITE FOR NEW FIRE STATION

Motion was made by Council Member Guy, seconded by Council Member Parker, to table the decision to accept offer from Carle Cooper on proposed site for new fire station. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER REQUEST TO SUBMIT PRE-APPLICATION TO FEDERAL AVIATION ADMINISTRATION FOR FY 04 FUNDS

Motion was made by Council Member Watts, seconded by Council Member Parker, to authorize submission of Pre-Application to the Federal Aviation Administration for FY 04 funds for two (2) electric operated gates and drainage improvements and authorize Mayor to sign the Pre-Application prepared by Allen & Hoshall. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Parker, Guy, and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Guy, seconded by Council Member Parker, to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

REGULAR MEETING DATED DECEMBER 2, 2003

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Parker, to enter executive session to discuss possible sale/lease of real property and contract between City of Picayune and Pearl River County SPCA. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss possible sale/lease of real property and contract between City of Picayune and Pearl River County SPCA.

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Watts, seconded by Council Member Guy, and unanimously carried, the Mayor reopened the meeting. The Mayor stated that in executive session the following votes were taken:

Motion was made by Council Member Bounds, seconded by Council Member Watts, to establish fair market value for Parcel 16, Highway 43 North to be \$124,550.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Parker, to establish fair market value for Lots 6, 7, 8, Block 6 Rosa Park Addition to be \$7,050.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

Motion was made by Council Member Watts, seconded by Council Member Bounds, to postpone any decision on the Airport Ground Lease Rate for 1.81 Acres. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

REGULAR MEETING DATED DECEMBER 2, 2003

Motion was made by Council Member Guy, seconded by Council Member Parker, to authorize the sale of Lots 6, 7, 8, Block 6 Rosa Park Addition to Picayune Housing Authority for \$6,500.00 plus one-half of appraisals, \$550.00 and authorize the Mayor to sign deed transferring said property and the Option to Purchase as required by the Housing Authority's Application process. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

Motion was made by Council Member Parker, seconded by Council Member Watts, to accept the terms of the Contract between the City of Picayune and the Pearl River County SPCA and authorize the Mayor to sign said contract. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

ORDER TO RECESS

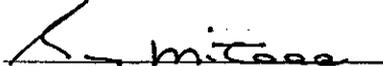
Motion was made by Council Member Watts, and seconded by Council Member Parker, to recess until December 16, 2003 @ 6 p.m. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members, Parker, Guy, Watts and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.


Greg Mitchell, Mayor

ATTEST:


Lloyd Marshall, Jr. City Clerk

December 16, 2003

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met in the Courtroom of the Criminal Justice Center in said City, Tuesday, December 16, 2003 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members, Leavern Guy, Sr., Donald Parker, Lucian Roberson, and Jerry Bounds, City Manager J.P. Burns, Jr., City Clerk Lloyd Marshall, City Attorney Nathan Farmer, Police Chief Jim Luke and Fire Chief Keith Brown.

It being determined a quorum was present, the following proceedings were held.

Opening Prayer was given by City Clerk, Lloyd Marshall, followed by the Pledge of Allegiance led by City Council Member Bounds.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Guy, to approve the minutes of the Mayor and City Council dated December 2, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY BUDGET REPORTS

Motion was made by Council Member Bounds, seconded by Council Member Guy, to acknowledge receipt of the Monthly Budget Reports for the month of November 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PUBLIC RECORD REQUESTS REPORT

Motion was made by Council Member Bounds, seconded by Council Member Guy, to acknowledge receipt of the Monthly Public Record Requests Report for the month of November 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Guy, to approve the issuance of the following manual checks:

Centerpoint Energy	Utility	\$ 20,835.00
Gulfsouth Pipeline Co	Utility	\$ 10,200.73
UMC	Utility	\$ 777.32
Shawn Blanchard	General	\$ 171.75
Jerry Bounds	General	\$ 844.25
Greg Mitchell	General	\$ 514.96
Lucian Roberson	General	\$ 313.96
Leavern Guy	General	\$745.25

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF PRIVILEGE LICENSE REPORTS

Motion was made by Council Member Bounds, seconded by Council Member Guy, to acknowledge receipt of the Privilege License Reports for the month of November 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO VOID 2001 TAX SALE

Motion was made by Council Member Bounds, seconded by Council Member Guy, to void 2001 tax sale on parcel 617-203-000-00-046-00 in the name of James H. Stockstill and refund College the tax sale amount of \$139.74. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER ACCEPTANCE OF THE PLANNING COMMISSION MINUTES

Motion was made by Council Member Bounds, seconded by Council Guy, to accept the minutes of the Planning Commission dated November 11, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER ACKNOWLEDGING RECEIPT OF PLANNING COMMISSION MINUTES

Motion was made by Council Member Bounds, seconded by Council Member Guy, to acknowledge receipt of the Planning Commission minutes dated December 9, 2003. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE PARTIAL PAYMENT ON PROPERTY TAXES

Motion was made by Council Member Bounds, seconded by Council Member Guy, to authorize partial payments on 2003 property taxes as pursuant to Section Code (27-41-1). The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER MOTION TO AMEND AGENDA

Motion was made by Council Member Bounds, seconded by Council Member Guy, to amend the agenda to include a Resolution for Armed Forces from Picayune Area serving in Iraq. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER ADOPTION OF RESOLUTION

Motion was made by Council Member Bounds, seconded by Council Member Guy, to adopt a Resolution for the Picayune Area Armed Service Men and Women serving in Iraq. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER RESIGNATION OF TERRELL JOPES

Motion was made by Council Member Guy, seconded by Council Member Roberson, to accept the resignation of Terrell Jopes from the Planning Commission and to appoint Martha Sheppard to the Planning Commission for a three-year term. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER AGREEMENT WITH COUNTY-WIDE BUILDING & REGULATORY PROGRAM

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to adopt a unified Comprehensive Building, Fire and Life Safety Regulatory Program with Pearl River County, and the City of Poplarville as per outline attached. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER NEW HOLIDAY SCHEDULE FOR 2004

Motion was made by Council Member Guy, seconded by Council Member Roberson, to amend the City of Picayune Policies and Procedures Manual to include Holiday Schedule for 2004 as presented:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO REZONE PROPERTY FOR DR. DONALD BERRY

Motion was made by Council Member Bounds, seconded by Council Member Parker, to rezone property owned by Dr. Donald Berry from R-1, Single Family Residential to PUD-R Planned Unit District-Residential for property located on Highway 43 North. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST FOR HOME OCCUPATION LICENSE FOR ANGELA BALDWIN

Motion was made by Council Member Parker, seconded by Council Member Guy, to grant a home occupational license to Angela Baldwin at 1500 Bogan Circle to operate a maid service. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST FOR HOME OCCUPATION LICENSE FOR VENNIE DAVIS

Motion was made by Council Member Guy, seconded by Council Member Bounds, to grant a home occupational license to Vennie Davis at 704 Snyder Street to operate a maid service. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO HOLD PUBLIC HEARING ON PROPERTY LOCATED AT 113 WEST SYCAMORE ROAD

A public hearing on property cleanup was held for property located at 113 West Sycamore Road and owned by Billy Ray Wheat. It has been reported that the cleanup has been done and that the condition of the property no longer constitutes a menace to the public health and safety of the area. No official action was taken.

CONSIDER REQUEST TO HOLD PUBLIC HEARING ON PROPERTY LOCATED AT LOT NEXT TO 614 WEEMS STREET

A public hearing on property was held for property located at lot next to 614 Weems Street and owned by Mary Essick Trask. It has been reported that the cleanup had not been done and that the condition of the property constitutes a menace to the public health and safety of the area. Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize the City to have the property cleaned and the cost charged against the property. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Bounds and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO HOLD PUBLIC HEARING ON PROPERTY LOCATED AT 1319 5th STREET

A public hearing on property was held for property located at 1319 5th Street and owned by Chris McNeely. It has been reported that the cleanup had not been done and that the condition of the property constitutes a menace to the public health and safety of the area. Motion was made by Council Member Bounds, seconded by Council Member Guy, to authorize the City to have

CITY OF PICAYUNE
AMENDMENT TO THE CITY OF PICAYUNE POLICIES AND PROCEDURES
MANUAL
PROPOSED HOLIDAY SCHEDULE
CALENDAR YEAR 2004

OLD POLICY

The following holidays are recognized by the City:

- New Years Day
- Martin Luther King's Birthday
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Holiday (2)
- Christmas Holiday (2)

New Policy

The following holidays are recognized by the City:

- New Years Day (2) – Already Approved by the Council November 18, 2003
- Martin Luther King's Birthday
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Holiday (2)
- Christmas Holiday (2)

Holidays are recognized by the City beginning at 12:01 a.m. and ending on 12:00 a.m.

Old Policy

NONE

New Policy

Non-exempt emergency personnel taking vacation leave for scheduled work days which are recognized Holidays will receive Holiday leave, which can be used at a later date. This Holiday leave policy ensures that emergency personnel enjoy the same Holiday benefits other City employees have which they may otherwise lose on account of the work schedules that are unique to emergency personnel.

~~SECRET~~



the property cleaned and the cost charged against the property. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO HOLD PUBLIC HEARING ON PROPERTY LOCATED AT 2117 SOUTH MEGEHEE LANE

A public hearing on property was held for property located at 2117 South Megehee Lane and owned by Lou Armstrong. It has been reported that the cleanup had not been done and that the condition of the property constitutes a menace to the public health and safety of the area. Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize the City to have the property cleaned and the cost charged against the property. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO HOLD PUBLIC HEARING ON PROPERTY LOCATED AT 507 3RD STREET

A public hearing on property was held for property located at 507 3rd Street and owned by Nola D. Asher. Although it has been reported that the cleanup had not been done and that the condition of the property constitutes a menace to the public health and safety of the area. Motion was made by Council Member Guy, seconded by Council Member Parker, to authorize the City to have the property cleaned and the cost charged against the property. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Bounds, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO AMEND AGENDA

Motion was made by Council Member Roberson, seconded by Council Member Guy, to amend agenda to include a request from the Picayune Fire Department to accept Domestic Equipment Grant Award and authorize Mayor to sign said award. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

CONSIDER REQUEST TO ACCEPT DOMESTIC EQUIPMENT GRANT AWARD

Motion was made by Council Member Guy, seconded by Council Member Parker, to accept Domestic Equipment Grant Award and authorize the Mayor to sign said grant. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

MISCELLANEOUS COUNCIL MEMBERS' BUSINESS

Motion was made by Council Member Guy, seconded by Council Member Parker, to withhold funding from the Greater Picayune Area Chamber of Commerce (Chamber), until the Picayune City Council (Council) could meet with the chamber's President.

Mr. Guy stated that it had become a "political social club", and that further monthly contributions should be withheld until the Council was able to talk to the president and get his commitment to the city as far as supporting the local businesses and also his action that he sent over to the city in reference to some changes in their by laws. Guy also added that the Chamber is not a political social club, and it should be there to help the businesses in the City.

Councilman Roberson disagreed and said the Council has been invited to all of the Chamber's board meetings and several Council members have attended. He said also that Mr. Guy might want to get a membership in the Chamber and join up and try to be a part of the organization instead of criticizing it. Mr. Guy replied that he would not be a part of an organization that is insensitive to the minority businesses in the City. Mr. Roberson replied that he had been a member for years and has never seen them [the Chamber] be insensitive to anybody that does business in the City.

Councilman Bounds questioned the legality of withholding funding to the Chamber. City Attorney Nathan Farmer inserted that a statute authorizes the City to make contributions to economic development organizations such as the Chamber, but the City is not obligated to do so. Mr. Bounds then stated that he agreed with Mr. Guy about it, but said he thinks we need to bring the Chamber in here and talk to the before withholding the funds. He further stated that they [the Chamber] needed to step up to the plate and start supporting this administration and the City of Picayune, but he did not think the funding should be withheld.

Mr. Guy stated that he did not want to take anything away from the Chamber, but he wants to hold them accountable to the business community. He said that was an obligation of the Chamber to be a partner with those in the business community. He added that they [the Chamber] were not being partners by having their political social club.

Mr. Guy added that it was his understanding that the Chamber did not have a quorum for its last meeting. He said that our business deserve better, period. He further stated that we are trying to move this city forward and our economic future depends on a coalition of the City, the Partner's for Pearl River County, and the Chamber, and when there are people out there who are constantly trying to derail things, then something needs to be done.

Mayor Mitchell stated that the Council should meet with Chamber members first to discuss any problems, with any further action by the Council to be based on the results of that meeting.

The Mayor asked if there were any further discussion. There was none, and the Mayor called for a vote. Councilman Guy and Parker voted aye and Councilman Bounds, Councilman Roberson, and Mayor Mitchell voted nay. The motion failed.

REGULAR MEETING, DECEMBER 16, 2003

The Mayor then instructed the City Manager to set up a meeting with the Chamber board to further discuss the matter.

The following roll call vote was taken:

VOTING YEA: Council Members Guy and Parker

VOTING NAY: Mayor Mitchell, Council Members Roberson and Bounds

ABSENT AND NOT VOTING: Council Member Watts

The motion did not carry.

Motion was made by Council Member Bounds, seconded by Council Member Parker, to invite Chamber of Commerce to meet with Mayor and Council Members to discuss the matter the further. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Roberson, seconded by Council Member Bounds to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Bounds and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Parker, to enter executive session to discuss the following:

1. B & B Holding, LLC- Destiny Oaks Subdivision
2. Police Department-Possible lease of office space
3. Contractual matters on Friendship Park
4. Possible sale of Real Property

The following roll call vote was taken.

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Bounds and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

THE MAYOR REOPENED THE MEETING TO PUBLICLY ANNOUNCE THAT THE COUNCIL WOULD ENTER EXECUTIVE SESSION TO DISCUSS: B&B HOLDING , LLC-DESTINY OAKS SUBDIVISION, POLICE DEPARTMENT-POSSIBLE LEASE OF

OFFICE SPACE, CONTRACTUAL MATTERS ON FRIENDSHIP PARK AND POSSIBLE SALE OF REAL PROPERTY

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Guy, seconded by Council Member Roberson, and unanimously carried, the Mayor reopened the meeting.

The Mayor stated that in executive session no action was taken in the matter with B & B Holding LLC, and upon motion of Council Member Guy, seconded by Council Member Roberson, and unanimously carried, the Council agreed to publish the Resolution of Intent for Improvement Bonds for Friendship Park Improvements, attached hereto and incorporated herein by reference as Exhibits A & B, the motion carried, Mayor Mitchell, Council Members Parker, Bounds, Roberson and Guy voting Yea. Voting Nay: None. Absent and not voting Council Member Watts, and upon motion of Council Member Roberson, seconded by Council Member Guy, and unanimously carried, the Council agreed to authorize the Police Department to lease office space owned by Larry Williams upon City Attorney reviewing said lease, the motion carried, Mayor Mitchell, Council Members Parker, Bounds, Roberson and Guy voting Yea. Voting Nay: None. Absent and not voting Council Member Watts, and upon motion of Council Member Bounds, seconded by Council Member Roberson, and unanimously carried, the Council agreed to sale real property located on Highway 43 North to Dr. David Futrell for the amount \$124,550.00, the motion carried, Mayor Mitchell, Council Members Parker, Bounds, Roberson and Guy voting Yea. Voting Nay: None. Absent and not voting Council Member Watts.

ORDER TO ADJOURN

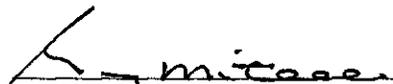
Motion was made by Council Member Guy and seconded by Council Member Parker to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.


Greg Mitchell, Mayor

ATTEST:


Lloyd Marshall, Jr., City Clerk